

From: Fuentes, Mark@ARB
Location: Mark's Office
Importance: Normal
Subject: call with Latane Montague
Start Date/Time: Fri 3/17/2017 7:30:00 PM
End Date/Time: Fri 3/17/2017 8:00:00 PM

;

From: Ng, John@ARB
Location: Location revised to Annex 1 Conference Room
Importance: Normal
Subject: Mercedes Sprinter Follow Up Meeting
Start Date/Time: Mon 3/13/2017 4:00:00 PM
End Date/Time: Mon 3/13/2017 7:00:00 PM

....
>>>>

MEETING ROOM has changed to **ANNEX 1**

MY17 Sprinter Discussion

Mon, Mar 13, 2017 9:00 AM - 12:00 PM PDT

Please join my meeting from your computer, tablet or smartphone.

Ex. 6 - Personal Privacy

You can also dial in using your phone.

United States: Ex. 6 - Personal Privacy

Access Code: Ex. 6 - Personal Privacy

First GoToMeeting? Try a test session: <http://help.citrix.com/getready>

From: Montague, R. Latane
Location: Conference Line [Ex. 6 - Personal Privacy] Conference Code [Ex. 6 - Personal Privacy]
Importance: Normal
Subject: MY2017 Sprinter Van cert. application
Start Date/Time: Wed 2/22/2017 9:00:00 PM
End Date/Time: Wed 2/22/2017 10:30:00 PM

....
>>>>

From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]
Sent: Wednesday, February 22, 2017 8:13 AM
To: joerg.breuer@daimler.com; mfuentes@arb.ca.gov
Cc: Montague, R. Latane; annette.hebert@arb.ca.gov; Wehrly, Linc; tillmann.braun@daimler.com; ashim.manchanda@daimler.com; Cullen, Daniel
Subject: RE: MY2017 Sprinter Van cert. application

Sorry. I see now that Mark Fuentes already sent a conference line yesterday. Let's use that instead.
Please disregard my note below and use the following conference information from CARB.

Conference Line [Ex. 6 - Personal Privacy]
Conference Code [Ex. 6 - Personal Privacy]

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

From: joerg.breuer@daimler.com
Location: Dial-in number: [Ex. 6 - Personal Privacy] Entry code Participants: [Ex. 6 - Personal Privacy]
Importance: Normal
Subject: Conference Call "Mercedes Sprinter 17 Certification Update"
Start Date/Time: Fri 1/20/2017 6:00:00 PM
End Date/Time: Fri 1/20/2017 6:30:00 PM

...
>>>
10.00 PDT/1.00 EST
Call-In: [Ex. 6 - Personal Privacy]
Entry code Participants: [Ex. 6 - Personal Privacy]
(OC:[0407])!

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Fri 2/10/2017 3:58:55 PM
Subject: Sprinter MY17: Update

Dear Byron,

just wanted to let you know that we are planning to deliver the vehicles to you and ARB next week. We should also be ready for a call to discuss the (slightly revised) timeline, the OBD improvements and the IRAF proposal.

Latane will coordinate on our end. Please feel free to call me anytime if you have any questions.
Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; Ayala, Alberto@ARB[Alberto.Ayala@arb.ca.gov]; latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: Hebert, Annette@ARB
Sent: Fri 3/10/2017 5:23:13 PM
Subject: Re: Sprinter

Trying to call you now having trouble locating your number at the moment

Sent from my ARB iPhone

> On Mar 10, 2017, at 3:26 AM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:

>

> Dear Mark,

>

> thanks. We will discuss your recommendations internally and get back to you shortly.

>

> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>

> I will try to call you later today.

>

> Regards, Joerg

>

>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>

>> Dear Jorg,

>>

>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>

>> Cell Ex. 6 - Personal Privacy

>> Ofc 626-575-6815

>>

>> -----Original Message-----

>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>> Sent: Thursday, March 09, 2017 5:26 PM

>> To: bunker.byron@epa.gov

>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

>> Subject: Re: Sprinter

>>

>> Thank you so much, Byron. Looking forward to the recommendation!

>>

>> Regards, Joerg

>>

>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>

>>> Hi Joerg,

>>>

>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is

reasonable to conclude that certification can be completed on this schedule.

>>>

>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>

>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>

>>> Best regards,

>>>

>>> Byron

>>>

>>> Sent from my iPhone

>>>

>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>

>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>

>>>> Annette Hebert, Chief

>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>> Division California Air Resources Board

>>>> (626)450-6150

>>>> ahebert@arb.ca.gov

>>>>

>>>>

>>>> -----Original Message-----

>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>> Sent: Thursday, March 09, 2017 9:58 AM

>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>>> Subject: Sprinter

>>>>

>>>> Hello Annette and Byron,

>>>>

>>>> hope you have received the material you requested. As discussed it

>>>> would be great if you could provide feedback today so that I can

>>>> coordinate with Germany before our internal deadline. I will be

>>>> **Ex. 6 - Personal Privacy** Please feel free to give me a

>>>> call if you have any questions. Thanks, Joerg

>>>>

>>>> Herzlichen Gruß,

>>>> Jörg Breuer

>>>>

>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>

>>

>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>

>> <03092017 Response to Jorg Breuer Certification Proposal.docx>

>

> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Fri 3/10/2017 1:07:24 PM
Subject: Re: Sprinter

Hi Byron,

we can certainly commit to answering as many questions as possible this month but would need a priority/order from ARB (and a commitment to the schedule).

I will do my best to keep the company from making a decision before we hear back from you or Mark.

Thanks again, Joerg

Am 10.03.2017 um 13:58 schrieb Bunker, Byron <bunker.byron@epa.gov>:

Hi Joerg,

I will speak with Annette and Mark today. I know Annette very well and you can trust her to deliver on a commitment she makes. Perhaps you can assure her that Mercedes will answer as many questions as possible in the order preferred by CARB if she will commit to the timeframe even if all of the questions aren't answered? While I agree it is important that Mercedes answer the questions asked by the Agencies if the questions aren't directly relevant to the 2017 certification, I don't see a reason to hold up certification.

Please don't make a decision today until we have had additional discussions with CARB.

Thanks,

Byron

Byron Bunker

Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, March 10, 2017 7:51 AM
To: Bunker, Byron <bunker.byron@epa.gov>
Subject: Fwd: Sprinter

Hello Byron,

knowing the OBD experts I am afraid the questions-part could turn into a never ending story. This uncertainty in itself might be a reason for our top management to make a decision. Do you see any chance that we could get an agreement on a defined set of answers? Otherwise I might have a hard time convincing my bosses that we can still hope to meet our target dates.

Herzlichen Gruß,

Jörg Breuer

Anfang der weitergeleiteten E-Mail:

Von: <joerg.breuer@daimler.com>
Datum: 10. März 2017 um 12:25:01 MEZ
An: "Fuentes, Mark@ARB" <mfuentes@arb.ca.gov>

Kopie: "bunker.byron@epa.gov" <bunker.byron@epa.gov>, "Hebert, Annette@ARB" <annette.hebert@arb.ca.gov>, "Herr Alberto Ayala Ph.D., M.S.E" <aayala@arb.ca.gov>, "R. Latane Montague" <latane.montague@hoganlovells.com>, Volker Mornhinweg <volker.mornhinweg@daimler.com>
Betreff: Re: Sprinter

Dear Mark,

thanks. We will discuss your recommendations internally and get back to you shortly.

What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

I will try to call you later today.

Regards, Joerg

Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Dear Jorg,

Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

Cell Ex. 6 - Personal Privacy

Ofc 626-575-6815

-----Original Message-----

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Thursday, March 09, 2017 5:26 PM

To: bunker.byron@epa.gov

Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

Subject: Re: Sprinter

Thank you so much, Byron. Looking forward to the recommendation!

Regards, Joerg

Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

Hi Joerg,

I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

Best regards,

Byron

Sent from my iPhone

On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB
<annette.hebert@arb.ca.gov> wrote:

I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS)

Division California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

-----Original Message-----

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Thursday, March 09, 2017 9:58 AM

To: bunker.byron@epa.gov; Hebert, Annette@ARB

Subject: Sprinter

Hello Annette and Byron,

hope you have received the material you requested. As discussed it would be great if you could provide feedback today so that I can coordinate with Germany before our internal deadline. I will be **Ex. 6 - Personal Privacy** please feel free to give me a call if you have any questions. Thanks, Joerg

Herzlichen Gruß,

Jörg Breuer

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

<03092017 Response to Jorg Breuer Certification Proposal.docx>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Fri 3/10/2017 12:51:03 PM
Subject: Fwd: Sprinter

Hello Byron,

knowing the OBD experts I am afraid the questions-part could turn into a never ending story. This uncertainty in itself might be a reason for our top management to make a decision. Do you see any chance that we could get an agreement on a defined set of answers? Otherwise I might have a hard time convincing my bosses that we can still hope to meet our target dates.

Herzlichen Gruß,
Jörg Breuer

Anfang der weitergeleiteten E-Mail:

Von: <joerg.breuer@daimler.com>
Datum: 10. März 2017 um 12:25:01 MEZ
An: "Fuentes, Mark@ARB" <mfuentes@arb.ca.gov>
Kopie: "bunker.byron@epa.gov" <bunker.byron@epa.gov>, "Hebert, Annette@ARB" <annette.hebert@arb.ca.gov>, "Herr Alberto Ayala Ph.D., M.S.E" <aayala@arb.ca.gov>, "R. Latane Montague" <latane.montague@hoganlovells.com>, Volker Mornhinweg <volker.mornhinweg@daimler.com>
Betreff: Re: Sprinter

Dear Mark,

thanks. We will discuss your recommendations internally and get back to you shortly.

What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

I will try to call you later today.

Regards, Joerg

Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Dear Jorg,

Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

Cell Ex. 6 - Personal Privacy

Ofc 626-575-6815

-----Original Message-----

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Thursday, March 09, 2017 5:26 PM

To: bunker.byron@epa.gov

Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

Subject: Re: Sprinter

Thank you so much, Byron. Looking forward to the recommendation!

Regards, Joerg

Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

Hi Joerg,

I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

Best regards,

Byron

Sent from my iPhone

On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB
<annette.hebert@arb.ca.gov> wrote:

I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS)

Division California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

-----Original Message-----

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Thursday, March 09, 2017 9:58 AM

To: bunker.byron@epa.gov; Hebert, Annette@ARB

Subject: Sprinter

Hello Annette and Byron,

hope you have received the material you requested. As discussed it would be great if you could provide feedback today so that I can coordinate with Germany before our internal deadline. I will be

Ex. 6 - Personal Privacy

Please feel free to give me a call if you have any questions. Thanks, Joerg

Herzlichen Gruß,

Jörg Breuer

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

<03092017 Response to Jorg Breuer Certification Proposal.docx>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; aayala@arb.ca.gov[aayala@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: joerg.breuer@daimler.com
Sent: Fri 3/10/2017 11:26:24 AM
Subject: Re: Sprinter

Dear Mark,

thanks. We will discuss your recommendations internally and get back to you shortly.

What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

I will try to call you later today.

Regards, Joerg

> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:
>
> Dear Jorg,
>
> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.
>
> Cell: Ex. 6 - Personal Privacy
> Ofc 626-575-6815
>
> -----Original Message-----
> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
> Sent: Thursday, March 09, 2017 5:26 PM
> To: bunker.byron@epa.gov
> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB
> Subject: Re: Sprinter
>
> Thank you so much, Byron. Looking forward to the recommendation!
>
> Regards, Joerg
>
>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>
>> Hi Joerg,
>>
>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.
>>
>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.
>>
>> Please let us know if you have any questions regarding this. I can assure you that we will do

everything we can to complete our review work in a timely manner.

>>

>> Best regards,

>>

>> Byron

>>

>> Sent from my iPhone

>>

>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>

>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>

>>> Annette Hebert, Chief

>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>> Division California Air Resources Board

>>> (626)450-6150

>>> ahebert@arb.ca.gov

>>>

>>>

>>> -----Original Message-----

>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>> Sent: Thursday, March 09, 2017 9:58 AM

>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>> Subject: Sprinter

>>>

>>> Hello Annette and Byron,

>>>

>>> hope you have received the material you requested. As discussed it

>>> would be great if you could provide feedback today so that I can

>>> coordinate with Germany before our internal deadline. I will be

>>> **Ex. 6 - Personal Privacy** Please feel free to give me a

>>> call if you have any questions. Thanks, Joerg

>>>

>>> Herzlichen Gruß,

>>> Jörg Breuer

>>>

>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>

>

> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>

> <03092017 Response to Jorg Breuer Certification Proposal.docx>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
From: ashim.manchanda@daimler.com
Sent: Fri 1/27/2017 5:25:50 PM
Subject: Automatic reply: Mercedes Sprinter Certification - OBD Call

Hello,

Thanks for your message.

I am out of the office on business through the end of Friday Jan 27th, 2017. I will be back in the office Monday, Jan 30th, 2017. I will have intermittent e-mail access and will respond when able.

Thanks and Best Regards,

Ashim Manchanda

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Bunker, Byron[bunker.byron@epa.gov]
Cc: Hebert, Annette@ARB[annette.hebert@arb.ca.gov]
From: Fuentes, Mark@ARB
Sent: Fri 3/10/2017 3:29:41 AM
Subject: RE: Sprinter
03092017 Response to Jorg Breuer Certification Proposal.docx

Dear Jorg,

Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

Cell: Ex. 6 - Personal Privacy
Ofc 626-575-6815

-----Original Message-----

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Thursday, March 09, 2017 5:26 PM
To: bunker.byron@epa.gov
Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB
Subject: Re: Sprinter

Thank you so much, Byron. Looking forward to the recommendation!

Regards, Joerg

> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>

> Hi Joerg,

>

> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>

> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>

> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>

> Best regards,

>

> Byron

>

> Sent from my iPhone

>

>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>

>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>

>> Annette Hebert, Chief

>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>> Division California Air Resources Board

>> (626)450-6150
>> ahebert@arb.ca.gov
>>
>>
>> -----Original Message-----
>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>> Sent: Thursday, March 09, 2017 9:58 AM
>> To: bunker.byron@epa.gov; Hebert, Annette@ARB
>> Subject: Sprinter
>>
>> Hello Annette and Byron,
>>
>> hope you have received the material you requested. As discussed it
>> would be great if you could provide feedback today so that I can
>> coordinate with Germany before our internal deadline. I will be
>> **Ex. 6 - Personal Privacy** Please feel free to give me a
>> call if you have any questions. Thanks, Joerg
>>
>> Herzlichen Gruß,
>> Jörg Breuer
>>
>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

Dear Jorg,

Thanks for providing written descriptions of the 2017 certification proposal you described to ARB and EPA verbally on our March 7, 2017 phone call. We have considered your proposal and have the following minimum additional requirements in order for ARB to issue the company a conditional EO:

1. We'll have four other critical OBD monitors we'll want you to demo and will come to an agreement during the March 13, 2017 meeting on which ones they are and their priority, but as you might imagine they relate to the monitors which have changed the most since the '16 MY. While we think the 4 monitors you mentioned are appropriate, we're not sure of the titles and there may be some overlap between us in which case we want a total of 8 for a conditional EO. Those demos should be based on your aged control system installed on the highest road-accumulated mileage '17 MY vehicle you have available. We understood from Gary Wong that you had a road aged vehicle with approximately 20k miles.
2. Based on the responses to our questions, ARB will determine the number of OBD deficiencies relevant to the '17 MY. Any additional deficiencies beyond that ARB established number will need to be corrected through recall.
3. We understand that EPA approved your past request to carryover durability data to the '16 MY but that was based on the past calibration. We'll want MB to provide us an engineering argument for why the DF should be carried over to '17 despite all the calibration changes made to the SCR system, DEF dosing, EGR rates, and more frequent regenerations
4. ARB expects all the questions submitted on March 3, 2017 to be answered before the issuance of any EO, including any follow up questions resulting from our continued discussions. We need to understand and be able to re-create/trigger any and all OBD strategies and AECs on the original calibration and the '17 calibration including disclosure of all enabling/disabling conditions.
5. Any EO will be conditional upon FULL useful life OBD and emission durability demonstrations showing compliance with the standards. That data should be submitted at 30K, 60K, 90K and 120K interval as they are completed.
6. ARB will also require the company to conduct in-use vehicle testing on at least 2 vehicles annually per the usual IUVP requirements in CFR and submit those results along with the related OBD scans for ARB review no later than October 1st of each of the next 5 years after issuance of the conditional executive order. Daimler shall agree to take corrective action based on those results.
7. MB will be required to request our consideration of a conditional EO in writing acknowledging the risks to MB if vehicles are later found to be non-compliant with the conditions of the EO or any other regulatory requirements. As explained by our counsel yesterday, a determination of non-compliance would cause the EO to be revoked, the vehicles in question to be considered illegal and in need of recall/repair, and MB would need to respond to an enforcement action with fines and penalties for these vehicles.

We recognize this is a big lift for the company but it is the only path forward that gives us an adequate level of confidence MB will be compliant throughout the useful life of the vehicles. Presuming no additional surprises in the company's responses to our pending questions or our emissions testing of your latest calibration ARB will grant a conditional EO. ARB will exert best efforts to meet your proposed timeline. Please confirm MB's willingness to accept these minimal conditions. Please don't hesitate to call me with any questions you may have at cell 626-634-9030 or in the office at 626-575-6815. We look forward to a productive meeting on Monday.

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
From: joerg.breuer@daimler.com
Sent: Fri 3/10/2017 1:25:39 AM
Subject: Re: Sprinter

Thank you so much, Byron. Looking forward to the recommendation!

Regards, Joerg

> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>

> Hi Joerg,

>

> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>

> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>

> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>

> Best regards,

>

> Byron

>

> Sent from my iPhone

>

>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>

>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>

>> Annette Hebert, Chief

>> Emissions Compliance, Automotive Regulations and Science (ECARS) Division

>> California Air Resources Board

>> (626)450-6150

>> ahebert@arb.ca.gov

>>

>>

>> -----Original Message-----

>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>> Sent: Thursday, March 09, 2017 9:58 AM

>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>> Subject: Sprinter

>>

>> Hello Annette and Byron,

>>

>> hope you have received the material you requested. As discussed it would be great if you could provide feedback today so that I can coordinate with Germany before our internal deadline. Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy Please feel free to give me a call if you have any questions. Thanks, Joerg

>>

>> Herzlichen Gruß,

>> Jörg Breuer

>>

>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]; Dilmaghani, Shabnam@ARB[Shabnam.Dilmaghani@arb.ca.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Montague, R. Latane[latane.montague@hoganlovells.com]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes, Thomas@ARB[thomas.montes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]; Wright, DavidA[Wright.DavidA@epa.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov]; Sardar, Satya@ARB[satya.sardar@arb.ca.gov]; Lemieux, Sharon@ARB[sharon.lemieux@arb.ca.gov]; Valencia, Thomas@ARB[tvalenci@arb.ca.gov]; Kiyota, Diane@ARB[diane.kiyota@arb.ca.gov]; Ho, Peter@ARB[peter.ho@arb.ca.gov]
From: Ng, John@ARB
Sent: Fri 1/27/2017 5:21:30 PM
Subject: RE: Mercedes Sprinter Certification - OBD Call

For all staff in El Monte: Mark Fuentes has Annex 1 Exec Conference room on hold for this meeting.

~John Ng

-----Original Appointment-----

From: Montes, Thomas@ARB **On Behalf Of** Bunker, Byron
Sent: Thursday, January 26, 2017 3:58 PM
To: Bunker, Byron; Dilmaghani, Shabnam@ARB; Ng, John@ARB; joerg.breuer@daimler.com; Montague, R. Latane; Hebert, Annette@ARB; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; Lemieux, Sharon@ARB; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB
Subject: FW: Mercedes Sprinter Certification - OBD Call
When: Friday, January 27, 2017 1:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call

-----Original Appointment-----

From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]
Sent: Wednesday, January 25, 2017 8:11 AM
To: Bunker, Byron; joerg.breuer@daimler.com; Montague, R. Latane; Hebert, Annette@ARB; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; Lemieux, Sharon@ARB; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB
Subject: Mercedes Sprinter Certification - OBD Call
When: Friday, January 27, 2017 1:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Call

This conference call is to continue discussion of the open OBD issues for the 2017 Sprinter certification.

Conference Line International Ex. 6 - Personal Privacy

US Toll Free [Ex. 6 - Personal Privacy]

Conference code (US & International same code) [Ex. 6 - Personal Privacy]

Mark - can you please forward to the appropriate ARB staff? I am not sure that I have included all of the right team members.

Thanks,

Byron

To: Montague, R. Latane[latane.montague@hoganlovells.com]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes, Thomas@ARB[thomas.montes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]; Wright, DavidA[Wright.DavidA@epa.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov]; Sardar, Satya@ARB[satya.sardar@arb.ca.gov]; Lemieux, Sharon@ARB[sharon.lemieux@arb.ca.gov]; Valencia, Thomas@ARB[tvalenci@arb.ca.gov]; Kiyota, Diane@ARB[diane.kiyota@arb.ca.gov]; Ho, Peter@ARB[peter.ho@arb.ca.gov]
From: Fuentes, Mark@ARB
Sent: Fri 1/27/2017 5:11:34 PM
Subject: RE: Mercedes Sprinter Certification - OBD Call

Latane,

Thanks for the notice. Please provide some tentative days for the reschedule as our calendars fill up fast. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Montague, R. Latane [mailto:latane.montague@hoganlovells.com]
Sent: Friday, January 27, 2017 9:02 AM
To: 'Bunker, Byron'; joerg.breuer@daimler.com; Hebert, Annette@ARB; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; Lemieux, Sharon@ARB; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB
Subject: RE: Mercedes Sprinter Certification - OBD Call

I apologize for the late notice, but we want to postpone the call originally scheduled for today so that we can further develop and explore engineering responses to the questions that were raised by CARB and EPA on our last call regarding both: 1) the IRAF for the emissions impacts of remaining intrusive monitors; and 2) exploring further refinements to the backstop counter for intrusive monitors. We reach out next week to reschedule today's call.

Because this effort may result in additional changes to software and calibrations, we will not be submitting our AECD description today as originally planned. Instead, we want to submit the AECD document at the same time or shortly after we complete any software revisions and data freeze for this vehicle. We will provide an update on the timing for the initial data freeze and AECD description submission on our next call with this group.

-----Original Appointment-----

From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]

Sent: Wednesday, January 25, 2017 11:11 AM

To: Bunker, Byron; joerg.breuer@daimler.com; Montague, R. Latane; annette.hebert@arb.ca.gov; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; sharon.lemieux@arb.ca.gov; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB

Subject: Mercedes Sprinter Certification - OBD Call

When: Friday, January 27, 2017 1:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Conference Call

This conference call is to continue discussion of the open OBD issues for the 2017 Sprinter certification.

Conference Line International

Ex. 6 - Personal Privacy

US Toll Free

Ex. 6 - Personal Privacy

Conference code (US & International same code)

Ex. 6 - Personal Privacy

Mark – can you please forward to the appropriate ARB staff? I am not sure that I have included all of the right team members.

Thanks,

Byron

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY: This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes, Thomas@ARB[thomas.montes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]; Wright, DavidA[Wright.DavidA@epa.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov]; Sardar, Satya@ARB[satya.sardar@arb.ca.gov]; sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov]; Valencia, Thomas@ARB[tvalenci@arb.ca.gov]; Kiyota, Diane@ARB[diane.kiyota@arb.ca.gov]; Ho, Peter@ARB[peter.ho@arb.ca.gov]
From: Montague, R. Latane
Sent: Fri 1/27/2017 5:01:31 PM
Subject: RE: Mercedes Sprinter Certification - OBD Call

I apologize for the late notice, but we want to postpone the call originally scheduled for today so that we can further develop and explore engineering responses to the questions that were raised by CARB and EPA on our last call regarding both: 1) the IRAF for the emissions impacts of remaining intrusive monitors; and 2) exploring further refinements to the backstop counter for intrusive monitors. We reach out next week to reschedule today's call.

Because this effort may result in additional changes to software and calibrations, we will not be submitting our AECD description today as originally planned. Instead, we want to submit the AECD document at the same time or shortly after we complete any software revisions and data freeze for this vehicle. We will provide an update on the timing for the initial data freeze and AECD description submission on our next call with this group.

-----Original Appointment-----

From: Bunker, Byron [mailto:bunker.byron@epa.gov]

Sent: Wednesday, January 25, 2017 11:11 AM

To: Bunker, Byron; joerg.breuer@daimler.com; Montague, R. Latane; annette.hebert@arb.ca.gov; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; sharon.lemieux@arb.ca.gov; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB

Subject: Mercedes Sprinter Certification - OBD Call

When: Friday, January 27, 2017 1:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Conference Call

This conference call is to continue discussion of the open OBD issues for the 2017 Sprinter certification.

Conference Line International [Ex. 6 - Personal Privacy]

US Toll Free [Ex. 6 - Personal Privacy]

Conference code (US & International same code) [Ex. 6 - Personal Privacy]

Mark – can you please forward to the appropriate ARB staff? I am not sure that I have included all of the right team members.

Thanks,

Byron

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

From: joerg.breuer@daimler.com
Location: Conference Call
Importance: Normal
Subject: Abgelehnt: Mercedes Sprinter Certification - OBD Call
Start Date/Time: Fri 1/27/2017 6:00:00 PM
End Date/Time: Fri 1/27/2017 8:00:00 PM

::
,,

Dear Byron,

as Latane has probably told you we ask to postpone this call in order to be better prepared for all questions

Thanks, Joerg

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

From: ashim.manchanda@daimler.com
Location: Conference Call
Importance: Normal
Subject: Accepted: FW: Mercedes Sprinter Certification - OBD Call
Start Date/Time: Fri 1/27/2017 6:00:00 PM
End Date/Time: Fri 1/27/2017 8:00:00 PM

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

From: silke.holzwarth@daimler.com
Location: Conference Call
Importance: Normal
Subject: Zugesagt: Mercedes Sprinter Certification - OBD Call
Start Date/Time: Fri 1/27/2017 6:00:00 PM
End Date/Time: Fri 1/27/2017 8:00:00 PM

::

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: Bunker, Byron[bunker.byron@epa.gov]; mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; silke.holzwarth@daimler.com[silke.holzwarth@daimler.com]
From: Montague, R. Latane
Sent: Wed 1/25/2017 1:52:12 PM
Subject: Re: AW: Sprinter Management Level Meeting

That sounds good, let me know if you want me to circulate a dial in.

Latane

> On Jan 25, 2017, at 2:45 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>
> Works for me
>
> Mit freundlichen Grüßen/ Kind regards
>
> Dr. Jörg Breuer
>
> Director Certification, Regulatory Affairs & Environment
> Mercedes-Benz Cars, Daimler AG
> 059/H104 - RD/FZ
> D-71032 Böblingen
>
> +49 7031 - 90 82944
> +49 160 8654546
>
> Daimler AG
> Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
> HRB-Nr./Commercial Register No. 19360
> Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
> Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber
>
> -----Ursprüngliche Nachricht-----
> Von: Bunker, Byron [mailto:bunker.byron@epa.gov]
> Gesendet: Mittwoch, 25. Januar 2017 14:21
> An: Montague, R. Latane <latane.montague@hoganlovells.com>
> Cc: Breuer, Joerg (059) <joerg.breuer@daimler.com>; Fuentes, Mark@ARB <mfuentes@arb.ca.gov>; Wehrly, Linc <wehrly.linc@epa.gov>; annette.hebert@arb.ca.gov
> Betreff: RE: Sprinter Management Level Meeting
>
> Hi Latane,
>
> Mark has confirmed that 10 AM PST (1PM EST) can work for CARB on Friday. He suggested that we block out 2 hours knowing how detailed OBD can get.
>
> Please confirm that time can work for Mercedes.
>
> Friday 27 January
> 10-12 PST (California)
> 1-3 EST (Michigan)
> 7-9 PM CET (Germany)
>
> We can use my call in number.

>
> Conference Line International [Ex. 6 - Personal Privacy] US Toll Free [Ex. 6 - Personal Privacy] Conference code (US & International same code) [Ex. 6 - Personal Privacy]
>
> Thanks,
>
> Byron
>
> *****
> Byron Bunker
> Director Compliance Division
> Office of Transportation and Air Quality Environmental Protection Agency
> 2000 Traverwood Drive
> Ann Arbor, MI 48105
> Bunker.Byron@epa.gov
> Phone: (734) 214-4155
> Mobile: (734) 353-9623
> *****
>
> -----Original Message-----
> From: Montague, R. Latane [mailto:latane.montague@hoganlovells.com]
> Sent: Tuesday, January 24, 2017 5:01 AM
> To: Bunker, Byron <bunker.byron@epa.gov>
> Cc: joerg. breuer <joerg.breuer@daimler.com>
> Subject: Sprinter Management Level Meeting
>
> Byron,
> We should be ready for another call by Friday to discuss the intrusive OBD monitor questions presented on our last call.
>
> Joerg and I are available at any time Friday for another call with EPA and CARB. If that time works for you, can you coordinate with Annette to set up a call?
>
> Latane
>
> About Hogan Lovells
> Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.
>
> CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed. It may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.
>
>
>
> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>

To: Bunker, Byron[bunker.byron@epa.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
Cc: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
silke.holzwarth@daimler.com[silke.holzwarth@daimler.com]
From: joerg.breuer@daimler.com
Sent: Wed 1/25/2017 1:47:25 PM
Subject: AW: Sprinter Management Level Meeting

Works for me

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

-----Ursprüngliche Nachricht-----

Von: Bunker, Byron [mailto:bunker.byron@epa.gov]
Gesendet: Mittwoch, 25. Januar 2017 14:21
An: Montague, R. Latane <latane.montague@hoganlovells.com>
Cc: Breuer, Joerg (059) <joerg.breuer@daimler.com>; Fuentes, Mark@ARB <mfuentes@arb.ca.gov>;
Wehrly, Linc <wehrly.linc@epa.gov>; annette.hebert@arb.ca.gov
Betreff: RE: Sprinter Management Level Meeting

Hi Latane,

Mark has confirmed that 10 AM PST (1PM EST) can work for CARB on Friday. He suggested that we block out 2 hours knowing how detailed OBD can get.

Please confirm that time can work for Mercedes.

Friday 27 January
10-12 PST (California)
1-3 EST (Michigan)
7-9 PM CET (Germany)

We can use my call in number.

Conference Line International Ex. 6 - Personal Privacy US Toll Free Ex. 6 - Personal Privacy Conference code (US & International same code) Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

-----Original Message-----

From: Montague, R. Latane [mailto:latane.montague@hoganlovells.com]
Sent: Tuesday, January 24, 2017 5:01 AM
To: Bunker, Byron <bunker.byron@epa.gov>
Cc: joerg. breuer <joerg.breuer@daimler.com>
Subject: Sprinter Management Level Meeting

Byron,

We should be ready for another call by Friday to discuss the intrusive OBD monitor questions presented on our last call.

Joerg and I are available at any time Friday for another call with EPA and CARB. If that time works for you, can you coordinate with Annette to set up a call?

Latane

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed. It may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]; mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Wehrly, Linc[wehrly.linc@epa.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov]; satya.sardar@arb.ca.gov[satya.sardar@arb.ca.gov]; diane.kiyota@arb.ca.gov[diane.kiyota@arb.ca.gov]; michael.regenfuss@arb.ca.gov[michael.regenfuss@arb.ca.gov]; thomas.montes@arb.ca.gov[thomas.montes@arb.ca.gov]; Jackie.Lourenco@arb.ca.gov[Jackie.Lourenco@arb.ca.gov]; satya.sardar@arb.ca.gov[satya.sardar@arb.ca.gov]
From: joerg.breuer@daimler.com
Sent: Fri 1/20/2017 5:54:35 PM
Subject: AW: Conference Call "Mercedes Sprinter 17 Certification Update"

OK, no problem

Viele Grüße,

Dr. Jörg Breuer

Von: Bunker, Byron [mailto:bunker.byron@epa.gov]
Gesendet: Freitag, 20. Januar 2017 18:53
An: Breuer, Joerg (059) <joerg.breuer@daimler.com>; mfuentes@arb.ca.gov; latane.montague@hoganlovells.com; Wehrly, Linc <wehrly.linc@epa.gov>; annette.hebert@arb.ca.gov; sharon.lemieux@arb.ca.gov; satya.sardar@arb.ca.gov; Kiyota, Diane@ARB <diane.kiyota@arb.ca.gov>; Regenfuss, Mike@ARB <michael.regenfuss@arb.ca.gov>; Montes, Thomas@ARB <thomas.montes@arb.ca.gov>; Lourenco, Jackie@ARB <Jackie.Lourenco@arb.ca.gov>; Sardar, Satya@ARB <satya.sardar@arb.ca.gov>
Betreff: RE: Conference Call "Mercedes Sprinter 17 Certification Update"
Wichtigkeit: Hoch

Dear Joerg,

I apologize for not noticing sooner, but I am not sure that all participants can dial an international phone line from their work locations. Given that, let's use my call-in number rather than the one you provided.

Conference Line (for international callers) Ex. 6 - Personal Privacy

US Domestic Toll Free Ex. 6 - Personal Privacy

Conference Code (same for international or US domestic) Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

-----Original Appointment-----

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Friday, January 20, 2017 2:02 AM

To: joerg.breuer@daimler.com; Bunker, Byron; mfuentes@arb.ca.gov;
latane.montague@hoganlovells.com; Wehrly, Linc; annette.hebert@arb.ca.gov;
sharon.lemieux@arb.ca.gov; satya.sardar@arb.ca.gov

Subject: Conference Call "Mercedes Sprinter 17 Certification Update"

When: Friday, January 20, 2017 7:00 PM-7:30 PM (UTC+01:00) Amsterdam, Berlin, Bern,
Rome, Stockholm, Vienna.

Where: Dial-in number: Ex. 6 - Personal Privacy Entry code Participants: Ex. 6 - Personal Privacy

10.00 PDT/1.00 EST

Call-In: Ex. 6 - Personal Privacy

Entry code Participants: Ex. 6 - Personal Privacy

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov];
satya.sardar@arb.ca.gov[satya.sardar@arb.ca.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]
From: joerg.breuer@daimler.com
Sent: Fri 1/20/2017 4:55:00 PM
Subject: Status MY Sprinter Certification
2017-01-19_MY17 Sprinter OM642 Technical Improvements_Final (Confidentia... (004).pdf

Here are the slides for our call later today.

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Fri 1/13/2017 5:18:41 PM
Subject: Charleston

Hi Byron,

as we have discussed yesterday it seems we will have to give twenty-something workers back to their temporary employment companies shortly. The plan is to ramp up the work force in the plant after February.

Looking forward to our call next week. Have a great weekend!

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Hubertus Troska, Bodo Uebber, Thomas Weber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov];
Annette.Hebert@arb.ca.gov[Annette.Hebert@arb.ca.gov]
Cc: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: melissa.hamzic@daimler.com
Sent: Thur 3/9/2017 12:30:33 PM
Subject: Requested Documents based on our last contact
MY17 CARB Questions from 3March2017 (Confidential) _v2.pptx
Accelerated Aftertreatment Aging Procedure (Confidential).pptx
2017-03-07_MY17 Sprinter Follow up (Confidential).pptx

Dear Annette and Byron,

please find attached the complete package we talked about:

1. MY17 Sprinter Follow Up (with the OBD proposal)
2. Accelerated Aftertreatment Aging Procedure
3. Timeline of answering CARB Questions from March 3, 2017

We kindly ask your feedback as till Friday close of business US-Time as promised from your side.

Finally, on behalf of Mercedes I want to make sure that ARB & EPA understands that these materials are confidential, and are being submitted to ARB & EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov];
Annette.Hebert@arb.ca.gov[Annette.Hebert@arb.ca.gov]
Cc: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: melissa.hamzic@daimler.com
Sent: Thur 3/9/2017 11:45:45 AM
Subject: MY17 Sprinter
2017-03-07 MY17 Sprinter Follow up (Confidential).pptx

Dear Annette and Byron,

please find attached the slide "MY17 Sprinter Follow up"

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG -- Sitz und Registergericht/Domicile and Court of Registry: Stuttgart -- HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Hubertus Troska, Bodo Uebber, Thomas Weber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Wehrly, Linc[wehrly.linc@epa.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]; Ball, Joel[ball.joel@epa.gov]
Cc: john.lipa@daimler.com[john.lipa@daimler.com]; klaus.land@daimler.com[klaus.land@daimler.com]
From: felix.wellmann@daimler.com
Sent: Wed 3/8/2017 7:31:38 AM
Subject: Approval MY2015 sprinter durability group copper
[2015 sprinter durability group approval.pdf](#)
[WG: Mercedes 2 items](#)

Hello Gentleman,

please find within the approval Dr. Breuer mentioned in the call yesterday.

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber, Thomas Weber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

DAIMLER

Daimler AG • 71059 Sindelfingen

Mr. Joel Ball
USEPA National Vehicle and
Fuel Emissions Laboratory/OAR
2565 Plymouth Road
Ann Arbor, MI 48105

APPROVED

Joel Ball 12-2-13

USA

Telefon/Phone
+49-(0)7031-90-

Telefax/Fax
+49-(0)7031-90-

Hauspost-Code
Internal Code

Ihre Zeichen, Ihre Nachricht vom
Your reference

Unser Zeichen, unsere Nachricht vom
Our reference

40262
Name

40265

X 424
Datum/Date

Markus Loesch

10/23/2013

Request for Approval of Durability Group Determination of the MY2015: Sprinter/Freightliner 2500/3500 V6 Diesel Carlines

Dear Mr. Ball

For MY2015 we plan to certify the following models for the U.S. market. All listed models are equipped with the same V6 diesel direct injection engine:

Durability Group	DDV	GS	Test Group	Model Name	MB Vehicle Code
FMBXDPDNNPP2	L906-1056-L906DE30TC (4,53to)	4,6	FMBXT03.0HD1	Sprinter 2500 CDI/Freightliner 2500 Sprinter 3500 CDI/Freightliner 3500	Ex. 6 - Personal Privacy
			FMBXT03.0HD3	Sprinter 2500 CDI 4x4/Freightliner 2500 4x4 Sprinter 3500 CDI 4x4/Freightliner 3500 4x4	
FMBXDPDNNPP3	L906-1057-L906DE30TC (5,0to)	4,6	FMBXT03.0HD2	Sprinter 3500 CDI/Freightliner 3500	
			FMBXT03.0HD4	Sprinter 3500 CDI 4x4/Freightliner 3500 4x4	

Durability Grouping:

According to CFR 86.1820-01 (b) the above listed models are identical as it pertains to:

- Combustion cycle
- Engine Type
- Fuel used
- Basic metering system
- Catalyst construction

Due to feedgas constituency requirements the precious metal composition of the SCR catalyst will change from ferric oxide to copper. The copper SCR-technology is a carry-over part from the 4-cylinder Diesel Sprinter carline introduced in MY14.

DAIMLER

- 2 -

Please see Title13 CCR 1968-02 which requires this change in technology:

(1.2.3) Other Aftertreatment Assistance Functions. Additionally, for 2010 and subsequent model year vehicles, the catalyst(s) shall be monitored for other aftertreatment assistance functions:

Ex. 4 - CBI

Reasons for durability grouping:

1. Harmlessness of copper Catalysts:

In terms of potential dioxin emissions caused by Cu-SCR catalyst, several investigations were conducted by OEMs and EPA and none of them indicated any risk of exposure. Please see the attached presentation summarizing the results achieved by the industry and EPA. The findings were presented at the SAE2010 World Congress and the Dioxin 2010 conference.

Meanwhile the leading manufacturers of diesel engines use Cu-SCR catalyst and have successfully certified these systems for the US market.

These systems are considered state-of-the-art technology.

2. Improved efficiency of Copper-SCR-technology:

In concerns of grouping Cu with Fe in the same durability group, Mercedes-Benz performed a side-by-side comparison of both systems.

Ex. 4 - CBI


Applying good engineering judgement it can be concluded, that the Cu-SCR-technology will not provide worse deterioration factors than Ferric Oxide-SCR technology.

Both Durability runs (L906-Z1056 for ferric oxide and L906-Z4002 for copper) delivered deterioration factors of "0".

So a grouping of copper and ferric oxide appears to be reasonable.

Your approval will be highly appreciated.

Sincerely



Markus Loesch

To: peter.knoepp@daimler.com[peter.knoepp@daimler.com];
christian.b.bauer@daimler.com[christian.b.bauer@daimler.com];
ole.hansen@daimler.com[ole.hansen@daimler.com]
Cc: andreas.walch@daimler.com[andreas.walch@daimler.com];
norbert.waldbuesser@daimler.com[norbert.waldbuesser@daimler.com]
From: roland.mulde@daimler.com
Sent: Tue 12/3/2013 5:21:47 AM
Subject: WG: Mercedes 2 items
2015 sprinter durability group approval.pdf

Hallo zusammen,

das Approval für die Gruppierung von Eisen- und Kupferkats ist da. Siehe Anhang.
D.h. es ist kein weiterer Alterungsdauerlauf für die 4x4-Sprinter mit OM642 erforderlich.

Mit freundlichen Grüßen / With best regards

Roland Mulde

Emission and Fuel Economy Certification USA/Canada
Mercedes-Benz Cars Development
059/H105-RD/FZE
DAIMLER AG - 71032 Böblingen/Germany
Tel.: +49 -(0)7031-90-48603
e-Fax: +49-711-3052125689
Mobil: +49-160-8687876
roland.mulde@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard,
Christine Hohmann-Dennhardt, Wilfried Porth, Andreas Renschler, Hubertus Troska, Bodo Uebber,
Thomas Weber

Von: Ball, Joel [mailto:ball.joel@epa.gov]
Gesendet: Montag, 2. Dezember 2013 20:40
An: Fitzgerald, Brian (624)
Cc: Mulde, Roland (059); Loesch, Markus (059)
Betreff: RE: Mercedes 2 items

Hi Brian,

1. I have attached the approval for grouping Cu and Fe SCR-cats together for our Sprinters in MY15.
2. I do not have a mechanism in Verify to officially waive the US06- test only. You can consider my e-mail of 11-6-2013 as confirmation that EPA has waived the US06 test and your test results can be considered the official results.

Best regards,

Joel Ball
Light-Duty Vehicle Group
Compliance Division
United States Environmental Protection Agency
(734) 214-4238
ball.joel@epa.gov

From: brian.fitzgerald@daimler.com [mailto:brian.fitzgerald@daimler.com]
Sent: Monday, December 02, 2013 3:58 AM
To: Ball, Joel
Subject: Mercedes 2 items

Hi Joel:

I hope you had a good Thanksgiving. I am over in Germany this week.

2 items I would like to follow up on:

1. Our request for approval for grouping Cu and Fe SCR-cats together for our Sprinters in MY15. Roland Mulde sent the new request. We are awaiting approval.
2. Confirmatory testing of our Sprinter Z4013-1. The Mfr conducted US06 EMBX10027343 still needs to be waived since it was not possible to run the 2nd bag only US06 at the EPA.

Thanks for an update .

Brian

Brian A. FitzGerald

Mercedes-Benz TechCenter Ann Arbor, MI

3953 Research Park Drive

Ann Arbor, MI 48108

Work: 734-997-2002

Cell: 734-223-3239

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

DAIMLER

Daimler AG • 71059 Sindelfingen

Mr. Joel Ball
USEPA National Vehicle and
Fuel Emissions Laboratory/OAR
2565 Plymouth Road
Ann Arbor, MI 48105

APPROVED

Joel Ball 12-2-13

USA

Telefon/Phone
+49-(0)7031-90-

Telefax/Fax
+49-(0)7031-90-

Hauspost-Code
Internal Code

Ihre Zeichen, Ihre Nachricht vom
Your reference

Unser Zeichen, unsere Nachricht vom
Our reference

40262
Name

40265

X 424
Datum/Date

Markus Loesch

10/23/2013

Request for Approval of Durability Group Determination of the MY2015: Sprinter/Freightliner 2500/3500 V6 Diesel Carlines

Dear Mr. Ball

For MY2015 we plan to certify the following models for the U.S. market. All listed models are equipped with the same V6 diesel direct injection engine:

Durability Group	DDV	GS	Test Group	Model Name	MB Vehicle Code
FMBXDPDNNPP2	L906-1056-L906DE30TC (4,53to)	4,6	FMBXT03.0HD1	Sprinter 2500 CDI/Freightliner 2500 Sprinter 3500 CDI/Freightliner 3500	Ex. 6 - Personal Privacy
			FMBXT03.0HD3	Sprinter 2500 CDI 4x4/Freightliner 2500 4x4 Sprinter 3500 CDI 4x4/Freightliner 3500 4x4	
FMBXDPDNNPP3	L906-1057-L906DE30TC (5,0to)	4,6	FMBXT03.0HD2	Sprinter 3500 CDI/Freightliner 3500	
			FMBXT03.0HD4	Sprinter 3500 CDI 4x4/Freightliner 3500 4x4	

Durability Grouping:

According to CFR 86.1820-01 (b) the above listed models are identical as it pertains to:

- Combustion cycle
- Engine Type
- Fuel used
- Basic metering system
- Catalyst construction

Due to feedgas constituency requirements the precious metal composition of the SCR catalyst will change from ferric oxide to copper. The copper SCR-technology is a carry-over part from the 4-cylinder Diesel Sprinter carline introduced in MY14.

DAIMLER

- 2 -

Please see Title13 CCR 1968-02 which requires this change in technology:

(1.2.3) Other Aftertreatment Assistance Functions. Additionally, for 2010 and subsequent model year vehicles, the catalyst(s) shall be monitored for other aftertreatment assistance functions:

Ex. 4 - CBI

Reasons for durability grouping:

1. Harmlessness of copper Catalysts:

In terms of potential dioxin emissions caused by Cu-SCR catalyst, several investigations were conducted by OEMs and EPA and none of them indicated any risk of exposure. Please see the attached presentation summarizing the results achieved by the industry and EPA. The findings were presented at the SAE2010 World Congress and the Dioxin 2010 conference.

Meanwhile the leading manufacturers of diesel engines use Cu-SCR catalyst and have successfully certified these systems for the US market.

These systems are considered state-of-the-art technology.

2. Improved efficiency of Copper-SCR-technology:

In concerns of grouping Cu with Fe in the same durability group, Mercedes-Benz performed a side-by-side comparison of both systems.

Ex. 4 - CBI


Applying good engineering judgement it can be concluded, that the Cu-SCR-technology will not provide worse deterioration factors than Ferric Oxide-SCR technology.

Both Durability runs (L906-Z1056 for ferric oxide and L906-Z4002 for copper) delivered deterioration factors of "0".

So a grouping of copper and ferric oxide appears to be reasonable.

Your approval will be highly appreciated.

Sincerely



Markus Loesch

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com]
From: Hebert, Annette@ARB
Sent: Fri 4/28/2017 8:28:28 PM
Subject: RE: MY17 Sprinter

Please call me, I can't seem to get to you.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS) Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, April 28, 2017 12:46 PM
To: Hebert, Annette@ARB
Cc: Fuentes, Mark@ARB; bunker.byron@epa.gov; latane.montague@hoganlovells.com;
juergen.gleichauf@daimler.com; felix.wellmann@daimler.com; joanne.rotondi@hoganlovells.com
Subject: MY17 Sprinter

Dear Annette,

here is our request for Conditional EO for the MY 17 Sprinter.

Please contact me directly if you have any question.

Thanks for your support, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: Cullen, Daniel[Cullen.Daniel@epa.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]
From: felix.wellmann@daimler.com
Sent: Fri 4/28/2017 5:48:21 PM
Subject: AW: working on application how long will you be in the office?

Hi Dan,

we are working with high pressure to get everything to you before 4:00 EDT.

Introduction to commerce is planned for May 1st

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo
Brünger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber

Von: Cullen, Daniel [mailto:Cullen.Daniel@epa.gov]

Gesendet: Freitag, 28. April 2017 19:22

An: Wellmann, Felix (059) <felix.wellmann@daimler.com>

Cc: Bunker, Byron <bunker.byron@epa.gov>; Wehrly, Linc <wehrly.linc@epa.gov>

Betreff: RE: working on application how long will you be in the office?

Felix,

Ideally I would like to leave at 4:30 EDT. Please let me know if you can be done then.

Also, the question came up, when will your introduction to commerce be? We believe that we will be confirming the certificate to outside parties, and we need to know that date.

Sincerely,

Dan

From: felix.wellmann@daimler.com [<mailto:felix.wellmann@daimler.com>]

Sent: Friday, April 28, 2017 12:59 PM

To: Cullen, Daniel <Cullen.Daniel@epa.gov>

Subject: working on application how long will you be in the office?

Hello Dan,

my guys are working on the applications with full power but there is quit some stuff to do.

So we are a little bit worried that we will run out of time.

How long will you be in the office today?

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo Brüngger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: felix.wellmann@daimler.com[felix.wellmann@daimler.com]
Cc: Bunker, Byron[bunker.byron@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]
From: Cullen, Daniel
Sent: Fri 4/28/2017 5:21:54 PM
Subject: RE: working on application how long will you be in the office?

Felix,

Ideally I would like to leave at 4:30 EDT. Please let me know if you can be done then.

Also, the question came up, when will your introduction to commerce be? We believe that we will be confirming the certificate to outside parties, and we need to know that date.

Sincerely,

Dan

From: felix.wellmann@daimler.com [mailto:felix.wellmann@daimler.com]
Sent: Friday, April 28, 2017 12:59 PM
To: Cullen, Daniel <Cullen.Daniel@epa.gov>
Subject: working on application how long will you be in the office?

Hello Dan,

my guys are working on the applications with full power but there is quit some stuff to do.

So we are a little bit worried that we will run out of time.

How long will you be in the office today?

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo
Brügger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Cullen, Daniel[Cullen.Daniel@epa.gov]
Cc: noelle.frerichs@daimler.com[noelle.frerichs@daimler.com];
john.lipa@daimler.com[john.lipa@daimler.com]; Wehrly, Linc[wehrly.linc@epa.gov]; Bunker,
Byron[bunker.byron@epa.gov]
From: felix.wellmann@daimler.com
Sent: Fri 4/28/2017 3:36:13 PM
Subject: AW: working on update of applications for the Sprinter
Daimler OBD Approval Letter.pdf

Hello Dan,

thank you for your support.

Yes, we received the OBD Approval.

Please see attachment.

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo Brüngger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber

Von: Cullen, Daniel [mailto:Cullen.Daniel@epa.gov]

Gesendet: Freitag, 28. April 2017 17:31

An: Wellmann, Felix (059) <felix.wellmann@daimler.com>

Cc: Frerichs, Noelle (624) <noelle.frerichs@daimler.com>; Lipa, John (624) <john.lipa@daimler.com>; Wehrly, Linc <wehrly.linc@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>

Betreff: RE: working on update of applications for the Sprinter

Felix,

Thank you. I am awaiting your application.

Can you confirm that you have in fact received OBD approval from ARB?

Thanks,

Dan

From: felix.wellmann@daimler.com [<mailto:felix.wellmann@daimler.com>]
Sent: Friday, April 28, 2017 11:26 AM
To: Cullen, Daniel <Cullen.Daniel@epa.gov>
Cc: noelle.frerichs@daimler.com; john.lipa@daimler.com
Subject: working on update of applications for the Sprinter

Hi Dan,

just to give you a short update:

we are currently working on doing all the requested updates on the Sprinter application.

We plan to do the CROMERR request within the next hour.

I keep you updated.

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo Brüngger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.



Air Resources Board



Matthew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

April 28, 2017

Reference No. E-17-119

Mr. Gary Wong
Manager & Mercedes-Benz ARB Liaison
Los Angeles Technology Center
4035 Via Oro Avenue
Long Beach, California 90810

SUBJECT: Conditional Approval and Applicable Fines for Mercedes' On-Board Diagnostics II (OBD II) Systems for the 2017 Model Year Test Groups HMBXD03.0HD1, HMBXD03.0HD3, HMBXD03.0HD2, and HMBXD03.0HD4.

Dear Mr. Wong:

The California Air Resources Board's (CARB) On-Board Diagnostics Branch has received the OBD II system descriptions submitted by Mercedes for the 2017 model year test groups listed above. Representations made in the application indicate that, with the exception of swirl actuator monitoring, oxides of nitrogen (NOx) converting catalyst monitoring, and upstream NOx sensor monitoring, the system is compliant with the OBD II regulation¹. As stated during a conference call between CARB and Mercedes on April 27, 2017, Mr. Joerg Breuer has agreed to pay the applicable fine of \$50 per vehicle produced for sale in California as a condition of certification. However, Mercedes has not provided all the information required for certification. Therefore, CARB conditionally approves the 2017 model year OBD II systems with 3 deficiencies. Upon Mercedes meeting the conditions detailed in the CARB cover letter (dated April 28, 2017) to the Executive Order (EO) by the deadlines listed in the conditional EO and after CARB's review and approval of subsequent information, the conditional status of the approval will be removed. Details of the swirl actuator monitoring deficiency were provided in previous approval letters (Reference Nos. E-11-182, and E-11-188). Details of the deficiencies for NOx converting catalyst monitoring and NOx sensor monitoring are provided below.

¹ Unless otherwise noted, all regulation references are to title 13, California Code of Regulations, section 1968.2.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Printed on Recycled Paper

Under the deficiency provisions of section (k) of the regulation, the deficiencies for which fines apply and the fine amounts per vehicle are defined. Additionally, where practical, the emission level in excess of the required levels has been identified in the details of the deficiencies provided. Therefore, Mercedes is subject to fines for each vehicle produced for sale in California from the applicable test group and models listed in Table 1. Such fines are to be paid to the State Treasurer for deposit in the Air Pollution Control Fund. The total fines that Mercedes will be required to pay will be based on production and distribution records provided by Mercedes for the 2017 model year. Mercedes could limit its total liability should it elect to implement a running change correcting one or more of these deficiencies during the model year. Upon CARB approval of these changes, vehicles produced subsequent to such changes would be subject to a revised fine.

Upstream NOx Sensor Monitoring Deficiency

Section (f)(5.2.2) of the regulation requires manufacturers to monitor the NOx sensors for deterioration of the NOx sensor signal for amplitude or offset failures and detect a malfunction before emissions to exceed 1.75 times the applicable standard (i.e., 0.350 grams/mile NOx). As provided in the preliminary demonstration data from Mercedes, the OBD II system did not detect a NOx sensor amplitude malfunction before emissions exceeded 1.75 times the standard and instead detected a malfunction when NOx emissions reached 0.617 grams/mile. Therefore, Mercedes is considered deficient for NOx sensor monitoring.

NOx Converting Catalyst Monitoring Deficiency

Section (f)(2.2.2) of the regulation requires manufacturers to monitor the NOx converting catalyst and detect a conversion efficiency malfunction before emissions exceed 1.75 times the applicable standard (i.e., 0.350 grams/mile NOx). As provided in the preliminary demonstration data from Mercedes, the OBD II system did not detect a NOx converting catalyst malfunction before 1.75 times the standard and instead detected a malfunction when NOx emissions reached 0.354 grams/mile. Therefore, Mercedes is considered deficient for NOx converting catalyst monitoring.

Mr. Gary Wong
April 28, 2017
Page 3

Table 1.

Deficiency	Test Groups:
	Applicable Vehicles:
	HMBXD03.0HD1 HMBXD03.0HD2 HMBXD03.0HD3 HMBXD03.0HD4
	Sprinter 2500 CDI/Freightliner 2500 Sprinter 3500 CDI/Freightliner 3500 Sprinter 3500 CDI/Freightliner 3500 Sprinter 2500 CDI 4x4/Freightliner 2500 4x4 Sprinter 3500 CDI 4x4/Freightliner 3500 4x4
Swirl Actuator Monitoring	\$50 (Free)
Upstream NOx Sensor Monitoring	\$50 (Free)
NOx Converting Catalyst Monitoring	\$50
Total Fine	\$50

Should you have any comments or questions regarding this letter, please contact Mr. John Ng, Air Resources Engineer, at (626) 459-4300.

Sincerely,



Annette Hebert, Chief
Emissions Compliance, Automotive Regulations and Science Division

cc: Mr. John Ng
Air Resources Engineer
Emissions Compliance, Automotive Regulations and Science Division

Mr. Michael Regenfuss, Chief
On-Board Diagnostics Branch
Emissions Compliance, Automotive Regulations and Science Division

To: felix.wellmann@daimler.com[felix.wellmann@daimler.com]
Cc: noelle.frerichs@daimler.com[noelle.frerichs@daimler.com]; john.lipa@daimler.com[john.lipa@daimler.com]; Wehrly, Linc[wehrly.linc@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]
From: Cullen, Daniel
Sent: Fri 4/28/2017 3:30:54 PM
Subject: RE: working on update of applications for the Sprinter

Felix,

Thank you. I am awaiting your application.

Can you confirm that you have in fact received OBD approval from ARB?

Thanks,

Dan

From: felix.wellmann@daimler.com [mailto:felix.wellmann@daimler.com]
Sent: Friday, April 28, 2017 11:26 AM
To: Cullen, Daniel <Cullen.Daniel@epa.gov>
Cc: noelle.frerichs@daimler.com; john.lipa@daimler.com
Subject: working on update of applications for the Sprinter

Hi Dan,

just to give you a short update:

we are currently working on doing all the requested updates on the Sprinter application.

We plan to do the CROMERR request within the next hour.

I keep you updated.

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo Brüngger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Lemieux, Sharon@ARB[sharon.lemieux@arb.ca.gov]; Sardar, Satya@ARB[satya.sardar@arb.ca.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov]; Nguyen, Duc@ARB[Duc.Nguyen@arb.ca.gov]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes, Thomas@ARB[thomas.montes@arb.ca.gov]; Valencia, Thomas@ARB[tvalenci@arb.ca.gov]; Paul, Depinder@ARB[dpaul@arb.ca.gov]; McDuffee, Bill@ARB[William.McDuffee@arb.ca.gov]; Binder, Gregory@ARB[gregory.binder@arb.ca.gov]; Yacoubian, Lisa@ARB[lisa.yacoubian@arb.ca.gov]; Hermano, Dean@ARB[dean.hermano@arb.ca.gov]; Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]; Judith.Fiorentini@doj.ca.gov[Judith.Fiorentini@doj.ca.gov]; Jon.Worm@doj.ca.gov[Jon.Worm@doj.ca.gov]; Laurel.Carnes@doj.ca.gov[Laurel.Carnes@doj.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Chiu, Esther@ARB[Esther.Chiu@arb.ca.gov]; Torres, Robert@ARB[rtorres@arb.ca.gov]; Ng, John@ARB[John.ng@arb.ca.gov]; Banaga, Marco@ARB[Marco.Banaga@arb.ca.gov]; Cecere, Ian@ARB[Ian.Cecere@arb.ca.gov]; Montague, R. Latane (latane.montague@hoganlovells.com)[latane.montague@hoganlovells.com]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Fuentes, Mark@ARB
Sent: Mon 3/6/2017 5:06:13 PM
Subject: Call in for MB Meeting

MY17 Sprinter Discussion

Mon, Mar 6, 2017 9:00 AM - 10:30 AM PST

Please join my meeting from your computer, tablet or smartphone.

Ex. 6 - Personal Privacy

You can also dial in using your phone.

United States: Ex. 6 - Personal Privacy

Access Code: Ex. 6 - Personal Privacy

First GoToMeeting? Try a test session: <http://help.citrix.com/getready>

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov];
Judith.Fiorentini@doj.ca.gov[Judith.Fiorentini@doj.ca.gov];
Jon.Worm@doj.ca.gov[Jon.Worm@doj.ca.gov]; Laurel.Carnes@doj.ca.gov[Laurel.Carnes@doj.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
gary.wong@daimler.com[gary.wong@daimler.com]; Bunker, Byron[bunker.byron@epa.gov];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
peter.lueckert@daimler.com[peter.lueckert@daimler.com];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Thur 4/20/2017 7:10:40 AM
Subject: AW: Potential Certification PAths for MB
[19-04-2017 Response to CARB MY17 Sprinter Follow Up Questions from April....xlsx](#)
[19-04-2017 Response to CARB MY17 Sprinter Follow Up Questions from April....pdf](#)

Dear Mark,

I am pleased to provide you with our responses to the questions contained in your email from April 8, 2017.

Attached is a complete set of answers to the April 8 questions. MB's responses are provided in blue. Per your request, we are providing the responses in the original provided format in the Pdf document attached to this email. We also provide the responses in an excel format (attached). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question. MB's reference numbers are identified in brackets before the response and also in the attached spreadsheet in the "Question Number" column. Please also note that all attachments referenced in the responses are provided in the excel document (each attachment is provided in a separate labeled tab within the excel file).

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

Von: Fuentes, Mark@ARB [mailto:mfuentes@arb.ca.gov]

Gesendet: Sonntag, 9. April 2017 03:59

An: Breuer, Joerg (059) <joerg.breuer@daimler.com>; Montague, R. Latane
(latane.montague@hoganlovells.com) <latane.montague@hoganlovells.com>; Wong, Gary
(624) <gary.wong@daimler.com>

Cc: Kamel, Alexandra@ARB <Alexandra.Kamel@arb.ca.gov>; Judith.Fiorentini@doj.ca.gov;
Jon Worm <Jon.Worm@doj.ca.gov>; Laurel.Carnes@doj.ca.gov

Betreff: Potential Certification PAths for MB

Dear Joerg,

Please find attached my attempt to distill the issues that stand in the way of a certification for the 2017 Sprinter as well as some suggestions on how to address them. I hope it provides additional

clarity as to how the agency views the issues. I also wanted to let you know that your draft request for a conditional EO did not transmit Attachments A and B as referenced in the request leaving me little to evaluate.

In a separate email you sent today you referenced a desire to meet on 4/12/17. We can meet any time after 1 PM PDT that day. Please let me know if that is acceptable and who will be attending in person. Please provide the call in information.

Mark

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]; Bunker, Byron[bunker.byron@epa.gov]; felix.wellmann@daimler.com[felix.wellmann@daimler.com]
From: joerg.breuer@daimler.com
Sent: Wed 4/19/2017 10:34:24 AM
Subject: Re: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Annette,

Ashim will contact Tom Montes to organize a call with the experts later today.

Regards, Joerg

Herzlichen Gruß,
Jörg Breuer

Am 19.04.2017 um 00:41 schrieb Hebert, Annette@ARB <annette.hebert@arb.ca.gov>:

Dear Joerg,

We are still in the midst of reviewing the answers you provided to us last Friday. We did discuss initial review thoughts this am, and I would like to give you a heads up that the consensus from CARB was that the answers to the coordinating function questions were not nearly sufficient enough for us to be able to test and evaluate if those coordinating functions might exist in vehicles we test in our laboratory. If we do not understand the enable and exit conditions, and how certain features working in the past model years, we cannot duplicate and assess or confirm they do not exist in the new model year. I wanted to give you a heads up that this could cause an issue with CARB being able to issue a conditional EO. I would strongly suggest a meeting be called ASAP between CARB and Daimler technical staff to discuss specifically the coordinating functions since before we can continue with our confirmation testing, we must understand clearly what we are looking for in the vehicle software.

We are not yet complete our review so more responses may be forthcoming.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS) Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Friday, April 14, 2017 11:06 AM

To: Fuentes, Mark@ARB

Cc: bunker.byron@epa.gov; joanne.rotondi@hoganlovells.com; juergen.gleichauf@daimler.com; paul.hecht@daimler.com; dieter.waeller@daimler.com; felix.wellmann@daimler.com; stefan.s.keppeler@daimler.com; Hebert, Annette@ARB; gary.wong@daimler.com; Kamel, Alexandra@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Lemieux, Sharon@ARB; Lourenco, Jackie@ARB; Nguyen, Duc@ARB; peter.lueckert@daimler.com

Subject: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Dear Mark,

I am pleased to report that today, somewhat ahead of schedule, we are providing a complete set of responses to all of CARB's MY17 Sprinter questions sent on March 3 and March 15, 2017.

Below and attached is a complete set of answers to all of the 40 questions. For ease of reference, in addition to the questions answered today, we are also including the responses already provided on March 30, 2017. New responses are provided in blue and responses provided on March 30 are provided in green. Per your request, we are providing the responses in the originally requested format in the body of this email below. We also provide the responses in an excel format (attached). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question. MB's reference numbers are identified below in brackets before the response and also in the attached spreadsheet in the "Question Number" column. Please also note that all attachments referenced in the responses are provided in the excel document (each attachment is provided in a separate labeled tab within the excel file). If you would prefer to receive these responses in a different format, please let us know.

We are currently preparing responses to the new questions sent on April 8, 2017 and will provide those as soon as possible. We appreciate your patience.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger, Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

Questions Received from John Ng (received via email from John Ng to Gary Wong on March 3, 2017)

SRC test data comparison 2015 MY Sprinter (Please see attached data)

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
stefan.s.keppeler@daimler.com[stefan.s.keppeler@daimler.com];
gary.wong@daimler.com[gary.wong@daimler.com];
Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov];
michael.regenfuss@arb.ca.gov[michael.regenfuss@arb.ca.gov];
thomas.montes@arb.ca.gov[thomas.montes@arb.ca.gov];
sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov];
Jackie.Lourenco@arb.ca.gov[Jackie.Lourenco@arb.ca.gov];
Duc.Nguyen@arb.ca.gov[Duc.Nguyen@arb.ca.gov];
peter.lueckert@daimler.com[peter.lueckert@daimler.com]
From: joerg.breuer@daimler.com
Sent: Wed 4/19/2017 2:22:13 AM
Subject: Re: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Dear Annette,

understood - we will set up a call as soon as possible.

Thanks, Joerg

Herzlichen Gruß,
Jörg Breuer

Am 19.04.2017 um 00:41 schrieb Hebert, Annette@ARB <annette.hebert@arb.ca.gov>:

Dear Joerg,

We are still in the midst of reviewing the answers you provided to us last Friday. We did discuss initial review thoughts this am, and I would like to give you a heads up that the consensus from CARB was that the answers to the coordinating function questions were not nearly sufficient enough for us to be able to test and evaluate if those coordinating functions might exist in vehicles we test in our laboratory. If we do not understand the enable and exit conditions, and how certain features working in the past model years, we cannot duplicate and assess or confirm they do not exist in the new model year. I wanted to give you a heads up that this could cause an issue with CARB being able to issue a conditional EO. I would strongly suggest a meeting be called ASAP between CARB and Daimler technical staff to discuss specifically the coordinating functions since before we can continue with our confirmation testing, we must understand clearly what we are looking for in the vehicle software.

We are not yet complete our review so more responses may be forthcoming.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS) Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Friday, April 14, 2017 11:06 AM

To: Fuentes, Mark@ARB

Cc: bunker.byron@epa.gov; joanne.rotondi@hoganlovells.com; juergen.gleichauf@daimler.com; paul.hecht@daimler.com; dieter.waeller@daimler.com; felix.wellmann@daimler.com; stefan.s.keppeler@daimler.com; Hebert, Annette@ARB; gary.wong@daimler.com; Kamel, Alexandra@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Lemieux, Sharon@ARB; Lourenco, Jackie@ARB; Nguyen, Duc@ARB; peter.lueckert@daimler.com

Subject: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Dear Mark,

I am pleased to report that today, somewhat ahead of schedule, we are providing a complete set of responses to all of CARB's MY17 Sprinter questions sent on March 3 and March 15, 2017.

Below and attached is a complete set of answers to all of the 40 questions. For ease of reference, in addition to the questions answered today, we are also including the responses already provided on March 30, 2017. New responses are provided in blue and responses provided on March 30 are provided in green. Per your request, we are providing the responses in the originally requested format in the body of this email below. We also provide the responses in an excel format (attached). Please note that in order to facilitate

tracking and cross references, we assigned reference numbers to each question. MB's reference numbers are identified below in brackets before the response and also in the attached spreadsheet in the "Question Number" column. Please also note that all attachments referenced in the responses are provided in the excel document (each attachment is provided in a separate labeled tab within the excel file). If you would prefer to receive these responses in a different format, please let us know.

We are currently preparing responses to the new questions sent on April 8, 2017 and will provide those as soon as possible. We appreciate your patience.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger, Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

Questions Received from John Ng (received via email from John Ng to Gary Wong on March 3, 2017)

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov]; joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com]; juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com]; paul.hecht@daimler.com[paul.hecht@daimler.com]; dieter.waeller@daimler.com[dieter.waeller@daimler.com]; felix.wellmann@daimler.com[felix.wellmann@daimler.com]; stefan.s.keppeler@daimler.com[stefan.s.keppeler@daimler.com]; gary.wong@daimler.com[gary.wong@daimler.com]; Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes, Thomas@ARB[thomas.montes@arb.ca.gov]; Lemieux, Sharon@ARB[sharon.lemieux@arb.ca.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov]; Nguyen, Duc@ARB[Duc.Nguyen@arb.ca.gov]; peter.lueckert@daimler.com[peter.lueckert@daimler.com]
From: Hebert, Annette@ARB
Sent: Tue 4/18/2017 10:41:03 PM
Subject: RE: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Dear Joerg,

We are still in the midst of reviewing the answers you provided to us last Friday. We did discuss initial review thoughts this am, and I would like to give you a heads up that the consensus from CARB was that the answers to the coordinating function questions were not nearly sufficient enough for us to be able to test and evaluate if those coordinating functions might exist in vehicles we test in our laboratory. If we do not understand the enable and exit conditions, and how certain features working in the past model years, we cannot duplicate and assess or confirm they do not exist in the new model year. I wanted to give you a heads up that this could cause an issue with CARB being able to issue a conditional EO. I would strongly suggest a meeting be called ASAP between CARB and Daimler technical staff to discuss specifically the coordinating functions since before we can continue with our confirmation testing, we must understand clearly what we are looking for in the vehicle software.

We are not yet complete our review so more responses may be forthcoming.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS) Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Friday, April 14, 2017 11:06 AM

To: Fuentes, Mark@ARB

Cc: bunker.byron@epa.gov; joanne.rotondi@hoganlovells.com; juergen.gleichauf@daimler.com; paul.hecht@daimler.com; dieter.waeller@daimler.com; felix.wellmann@daimler.com; stefan.s.keppeler@daimler.com; Hebert, Annette@ARB; gary.wong@daimler.com; Kamel, Alexandra@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Lemieux, Sharon@ARB; Lourenco, Jackie@ARB; Nguyen, Duc@ARB; peter.lueckert@daimler.com

Subject: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Dear Mark,

I am pleased to report that today, somewhat ahead of schedule, we are providing a complete set of responses to all of CARB's MY17 Sprinter questions sent on March 3 and March 15, 2017.

Below and attached is a complete set of answers to all of the 40 questions. For ease of reference, in addition to the questions answered today, we are also including the responses already provided on March 30, 2017. New responses are provided in blue and responses provided on March 30 are provided in green. Per your request, we are providing the responses in the originally requested format in the body of this email below. We also provide the responses in an excel format (attached). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question. MB's reference numbers are identified below in brackets before the response and also in the attached spreadsheet in the "Question Number" column. Please also note that all attachments referenced in the responses are provided in the excel document (each attachment is provided in a separate labeled tab within the excel file). If you would prefer to receive these responses in a different format, please let us know.

We are currently preparing responses to the new questions sent on April 8, 2017 and will provide those as soon as possible. We appreciate your patience.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for

confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

Questions Received from John Ng (received via email from John Ng

to Gary Wong on March 3, 2017)

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com]
From: joerg.breuer@daimler.com
Sent: Tue 6/13/2017 9:21:39 AM
Subject: AW: MY 17 Sprinter

Dear Annette,

just wanted to let you know that we are of course ready to organize a face to face meeting with you and your team to explain and discuss this material – if and when you think this would be appropriate.

Viele Grüße,

Dr. Jörg Breuer

Von: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]
Gesendet: Freitag, 9. Juni 2017 17:36
An: Breuer, Joerg (059) <joerg.breuer@daimler.com>; Kamel, Alexandra@ARB
<Alexandra.Kamel@arb.ca.gov>
Cc: bunker.byron@epa.gov; Waeller, Dieter (019) <dieter.waeller@daimler.com>;
joanne.rotondi@hoganlovells.com; Gleichauf, Juergen (059) <juergen.gleichauf@daimler.com>
Betreff: RE: MY 17 Sprinter

Thanks, we will give it our attention.

Annette Hébert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS)
Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Friday, June 09, 2017 8:32 AM

To: Hebert, Annette@ARB

Cc: bunker.byron@epa.gov; dieter.waeller@daimler.com; joanne.rotondi@hoganlovells.com; juergen.gleichauf@daimler.com

Subject: MY 17 Sprinter

Dear Annette,

I am pleased to provide you with Mercedes-Benz's responses to CARB's April 26, 2017 questions. Please find attached a complete set of answers to your April 26 questions. MB's new responses are provided in green. For ease of reference, we are also including MB's previously provided responses at the top of the excel file (shown in gray). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question.

I have also attached the documentation of the partial OBD demo which was uploaded earlier today and the approval of our plan for the durability run.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Please feel free to contact me directly if you have any questions.

Have a good day and a great weekend!

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification & Regulatory Affairs
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Bunker, Byron[bunker.byron@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Lemieux, Sharon@ARB[sharon.lemieux@arb.ca.gov]; Sardar, Satya@ARB[satya.sardar@arb.ca.gov]; Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]
From: Chiu, Esther@ARB
Sent: Thur 7/20/2017 11:05:26 PM
Subject: ARB Ref. No. IUC-2017-006 Daimler Letter
SIGNED REF NO. IUC-2017-006 MBZ LETTER 7-20-17.pdf

Hello Mr. Jorg Breuer,

The attached letter is to inform Daimler of its outstanding obligation to respond to CARB's letter dated March 14, 2017 (Reference No. IUC-2017-002).

If you have any questions, please contact Dr. Satya Sardar, P.E., Manager, In-Use Compliance Section or Sharon C. Lemieux, P.E., Chief, In-Use Programs Branch.

Thank you,

Esther Tse

Air Resources Engineer

CARB | ECARS Division | In-Use Compliance Section

(626) 350-6402

echiu@arb.ca.gov

<http://www.arb.ca.gov>

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Tue 7/18/2017 3:20:43 PM
Subject: WG: Presseinfo Servicemaßnahmen final
2017_07_18_Press Release FINAL.pdf

Dear Byron,

here is the press information that I just mentioned.

Thanks, Joerg

Viele Grüße,

Dr. Jörg Breuer

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

July 18, 2017

Daimler Board of Management decides on a comprehensive plan for diesel engines

- **Massive expansion of voluntary service actions to over three million vehicles in Europe**
- **No costs will be involved for customers**
- **Rapid market launch of the new Diesel engine family**

Stuttgart – The Daimler Board of Management has approved a comprehensive plan for diesel engines: “The public debate about diesel engines is creating uncertainty – especially for our customers. We have therefore decided on additional measures to reassure drivers of diesel cars and to strengthen confidence in diesel technology,” stated Dr. Dieter Zetsche, Chairman of the Board of Management of Daimler AG and Head of Mercedes-Benz Cars. “We are convinced that diesel engines will continue to be a fixed element of the drive-system mix, not least due to their low CO₂ emissions.”

The plan comprises a massive expansion of the current service action for vehicles in customers’ hands as well as a rapid market launch of a completely new Diesel engine family.

Expansion of voluntary service action

Since March, Mercedes-Benz has offered its customers of compact-class cars an improvement in NOx emissions for one engine version. Approximately 45 percent of those cars have meanwhile been updated. A voluntary service action is also being carried out for V-Class customers – so far with approximately 75 percent of the vehicles in Germany.

In order to effectively improve the emissions of additional model series, Daimler has now decided to extend the service action to include over three million Mercedes-Benz vehicles. For this purpose, the company’s engineers

are making use of latest knowledge gained during the development of the new family of diesel engines.

The measures to be taken for nearly all EU5 and EU6 vehicles in Europe will be carried out in close cooperation with the German regulatory authorities. The company is investing about 220 million euros. The service actions involve no costs for the customers. The implementation of the measures will be starting in the next weeks. Due to the large number of vehicles this will continue over a longer period of time.

In this way, Daimler is making a significant contribution to the reduction of nitrogen-oxide emissions from diesel vehicles in European inner cities.

Fast market launch of the new engine family

Mercedes-Benz has already proven that diesel engines can meet the stricter EU emission regulations to come in the future with a completely new engine family. With an investment of approximately three billion euros, the company has developed a new generation of engines whose exemplary emissions have been confirmed by measurements carried out by independent institutes. Following the market launch of the new four-cylinder OM 654 engine in the new E-Class in 2016, the launch of the modular engine family will now be implemented rapidly across the entire model portfolio.

Solutions for the mobility of the future

Daimler will continue to make a significant contribution to the improvement of air quality in cities and to climate protection with the systematic electrification of its vehicles, with mobility services such as moovel and car2go, and with increasingly clean combustion engines. Diesel engines will continue to play an important role for a long time yet due to their significantly higher efficiency than gasoline engines.

Contacts:

Jörg Howe, + 49 711 17 41341, joerg.howe@daimler.com

Matthias Brock, +49 711 17 76422, matthias.brock@daimler.com

To: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; tillmann.braun@daimler.com[tillmann.braun@daimler.com]; ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]; Cullen, Daniel[Cullen.Daniel@epa.gov]; christian.b.bauer@daimler.com[christian.b.bauer@daimler.com]; zornitza.pavlova-mackinnon@daimler.com[zornitza.pavlova-mackinnon@daimler.com]; douglas.janzen@daimler.com[douglas.janzen@daimler.com]; gary.wong@daimler.com[gary.wong@daimler.com]; joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com]; thomas.stutte@daimler.com[thomas.stutte@daimler.com]; klaus.land@daimler.com[klaus.land@daimler.com]; dpaul@arb.ca.gov[dpaul@arb.ca.gov]; Duc.Nguyen@arb.ca.gov[Duc.Nguyen@arb.ca.gov]
From: felix.wellmann@daimler.com
Sent: Mon 3/6/2017 4:42:58 PM
Subject: Documents for todays Webmeeting MY17 Sprinter / AECD & Testresults

Ex. 4 - CBI

Hello all,

please find within the documents for today's meeting.

- [REDACTED] Redline AECD Document Sprinter MY17
- [REDACTED] Test results of the MY2017 Sprinter

Finally, on behalf of Mercedes I want to make sure that ARB & EPA understands that these materials are confidential, and are being submitted to ARB & EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brünnger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber, Thomas Weber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Mon 4/24/2017 8:57:58 PM
Subject: Sprinter

Dear Byron,

thanks for your time today. Can we talk briefly today or tomorrow? (I canceled my trip to China in order to work on resolving the remaining issues with the Sprinter certification)

Thanks, Joerg

Herzlichen Gruß,
Jörg Breuer

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]; mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]
Cc: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Montague, R. Latane
Sent: Mon 4/24/2017 4:38:44 PM
Subject: RE: Status Sprinter Certification - Call today?

Please use the following dial-in:

U.S. Toll free: Ex. 6 - Personal Privacy

International: Ex. 6 - Personal Privacy

Conf. Room: Ex. 6 - Personal Privacy

From: Bunker, Byron [mailto:bunker.byron@epa.gov]
Sent: Monday, April 24, 2017 12:11 PM
To: joerg.breuer@daimler.com; mfuentes@arb.ca.gov; annette.hebert@arb.ca.gov
Cc: Montague, R. Latane; Wehrly, Linc; Cullen, Daniel
Subject: RE: Status Sprinter Certification - Call today?

We can make 12:30 PDT (3:30EDT) work for us.

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]
Sent: Monday, April 24, 2017 12:01 PM
To: mfuentes@arb.ca.gov; Bunker, Byron <bunker.byron@epa.gov>;
annette.hebert@arb.ca.gov
Cc: latane.montague@hoganlovells.com; Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel
<Cullen.Daniel@epa.gov>
Subject: AW: Status Sprinter Certification - Call today?

Thanks, 12:30 PT (or later) would work for me – Byron: how about EPA?

Viele Grüße,

Dr. Jörg Breuer

Von: Fuentes, Mark@ARB [<mailto:mfuentes@arb.ca.gov>]
Gesendet: Montag, 24. April 2017 17:56
An: Bunker, Byron <bunker.byron@epa.gov>; Breuer, Joerg (059)
<joerg.breuer@daimler.com>; Hebert, Annette@ARB <annette.hebert@arb.ca.gov>

Cc: latane.montague@hoganlovells.com; Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel <Cullen.Daniel@epa.gov>

Betreff: RE: Status Sprinter Certification - Call today?

Joerg,

12:30 PT is the earliest time I can participate on a call. If that time works please go ahead and send in a call in number and we'll talk then. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]

Sent: Monday, April 24, 2017 5:18 AM

To: joerg.breuer@daimler.com; Hebert, Annette@ARB

Cc: latane.montague@hoganlovells.com; Fuentes, Mark@ARB; Wehrly, Linc; Cullen, Daniel

Subject: RE: Status Sprinter Certification - Call today?

Hi Joerg,

I have copied Mark Fuentes on this note knowing that Annette is traveling today. I should be able to work around Annette's calendar if in fact she has time in her day.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Monday, April 24, 2017 3:28 AM

To: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov

Cc: latane.montague@hoganlovells.com

Subject: Status Sprinter Certification - Call today?

Importance: High

Dear Annette,

Dear Byron,

do you think we could get feedback from both agencies today? Maybe we can schedule a call - am available all day/night.

Will be travelling to China tomorrow, so the next possible time after today would be upon arrival in Beijing tomorrow night (5 pm Pacific/8 pm Eastern) or Wednesday.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Wehrly, Linc[wehrly.linc@epa.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]
From: joerg.breuer@daimler.com
Sent: Mon 4/24/2017 4:01:06 PM
Subject: AW: Status Sprinter Certification - Call today?

Thanks, 12:30 PT (or later) would work for me – Byron: how about EPA?

Viele Grüße,

Dr. Jörg Breuer

Von: Fuentes, Mark@ARB [mailto:mfuentes@arb.ca.gov]
Gesendet: Montag, 24. April 2017 17:56
An: Bunker, Byron <bunker.byron@epa.gov>; Breuer, Joerg (059) <joerg.breuer@daimler.com>; Hebert, Annette@ARB <annette.hebert@arb.ca.gov>
Cc: latane.montague@hoganlovells.com; Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel <Cullen.Daniel@epa.gov>
Betreff: RE: Status Sprinter Certification - Call today?

Joerg,

12:30 PT is the earliest time I can participate on a call. If that time works please go ahead and send in a call in number and we'll talk then. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]
Sent: Monday, April 24, 2017 5:18 AM
To: joerg.breuer@daimler.com; Hebert, Annette@ARB
Cc: latane.montague@hoganlovells.com; Fuentes, Mark@ARB; Wehrly, Linc; Cullen, Daniel
Subject: RE: Status Sprinter Certification - Call today?

Hi Joerg,

I have copied Mark Fuentes on this note knowing that Annette is traveling today. I should be able to work around Annette's calendar if in fact she has time in her day.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Monday, April 24, 2017 3:28 AM

To: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov

Cc: latane.montague@hoganlovells.com

Subject: Status Sprinter Certification - Call today?

Importance: High

Dear Annette,

Dear Byron,

do you think we could get feedback from both agencies today? Maybe we can schedule a call - am available all day/night.

Will be travelling to China tomorrow, so the next possible time after today would be upon arrival in Beijing tomorrow night (5 pm Pacific/8 pm Eastern) or Wednesday.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov];
joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Hebert,
Annette@ARB[annette.hebert@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Wehrly,
Linc[wehrly.linc@epa.gov]; Cullen, Daniel[Cullen.Daniel@epa.gov]
From: Fuentes, Mark@ARB
Sent: Mon 4/24/2017 3:56:08 PM
Subject: RE: Status Sprinter Certification - Call today?

Joerg,

12:30 PT is the earliest time I can participate on a call. If that time works please go ahead and send in a call in number and we'll talk then. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Bunker, Byron [mailto:bunker.byron@epa.gov]
Sent: Monday, April 24, 2017 5:18 AM
To: joerg.breuer@daimler.com; Hebert, Annette@ARB
Cc: latane.montague@hoganlovells.com; Fuentes, Mark@ARB; Wehrly, Linc; Cullen, Daniel
Subject: RE: Status Sprinter Certification - Call today?

Hi Joerg,

I have copied Mark Fuentes on this note knowing that Annette is traveling today. I should be able to work around Annette's calendar if in fact she has time in her day.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Monday, April 24, 2017 3:28 AM

To: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov

Cc: latane.montague@hoganlovells.com

Subject: Status Sprinter Certification - Call today?

Importance: High

Dear Annette,

Dear Byron,

do you think we could get feedback from both agencies today? Maybe we can schedule a call - am available all day/night.

Will be travelling to China tomorrow, so the next possible time after today would be upon arrival in Beijing tomorrow night (5 pm Pacific/8 pm Eastern) or Wednesday.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Mon 4/24/2017 7:28:10 AM
Subject: Status Sprinter Certification - Call today?

Dear Annette,

Dear Byron,

do you think we could get feedback from both agencies today? Maybe we can schedule a call - am available all day/night.

Will be travelling to China tomorrow, so the next possible time after today would be upon arrival in Beijing tomorrow night (5 pm Pacific/8 pm Eastern) or Wednesday.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Fri 4/21/2017 7:00:44 PM
Subject: Fwd: WG: Sprinter MY17 - Request for Conditional Executive Order

Ex. 4 - CBI

Dear Byron

if there is anything else we should/could do from your perspective, please give me a call anytime.

We will discuss the Sprinter issue with the Board on Monday, I hope we can continue to proceed as planned.

Thanks, Joerg

Herzlichen Gruß,
Jörg Breuer

Anfang der weitergeleiteten E-Mail:

Von: "Breuer, Joerg (059)" <joerg.breuer@daimler.com>
An: "Hebert, Annette@ARB" <annette.hebert@arb.ca.gov>
Kopie: "Alberto Ayala Ph.D., M.S.E (aayala@arb.ca.gov)" <aayala@arb.ca.gov>
Betreff: WG: Sprinter MY17 - Request for Conditional Executive Order

Dear Annette,

thanks again for your patience and the guidance provided by you and your staff. Over the last months we were able to implement many improvements to the software following your recommendations. We are convinced that the emission performance of the MY 17 Sprinter meets your expectations, that we have provided all the information you had requested about this model, and that the questions you raised in your last email (on how to prove that there are no coordination functions) were answered to the satisfaction of your experts in the call yesterday.

As you know, we need the conditional EO by the end of this month in order to mitigate implications for the plant and our dealer network.

Should you have any question or concern, please feel free to give me a call on my cellphone

anytime (+49-1608654546) - I will be available on the weekend as well.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo
Brüngger, Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska,
Bodo Uebber

Von: Hamzic, Melissa (059) Im Auftrag von Breuer, Joerg (059)
Gesendet: Donnerstag, 20. April 2017 16:11
An: 'Fuentes, Mark@ARB' <mfuentes@arb.ca.gov>
Cc: Hebert, Annette@ARB <annette.hebert@arb.ca.gov>; bunker.byron@epa.gov; 'Kamel, Alexandra@ARB' <Alexandra.Kamel@arb.ca.gov>; Gleichauf, Juergen (059) <juergen.gleichauf@daimler.com>; Hecht, Paul (059) <paul.hecht@daimler.com>; Zuern, Joerg (019) <joerg.zuern@daimler.com>; Heil, Bernhard (059) <bernhard.heil@daimler.com>; Montague, R. Latane <latane.montague@hoganlovells.com>; Breuer, Joerg (059) <joerg.breuer@daimler.com>
Betreff: Sprinter MY17 - Request for Conditional Executive Order
Wichtigkeit: Hoch

Dear Mark,

please find enclosed our request for conditional E.O.
Please let me know if you have any questions.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for

confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,
Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang
Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus
Troska, Bodo Uebber.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov]; juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com]; paul.hecht@daimler.com[paul.hecht@daimler.com]; joerg.zuern@daimler.com[joerg.zuern@daimler.com]; bernhard.heil@daimler.com[bernhard.heil@daimler.com]; latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: melissa.hamzic@daimler.com
Sent: Thur 4/20/2017 2:10:56 PM
Subject: Sprinter MY17 - Request for Conditional Executive Order

Ex. 4 - CBI

Dear Mark,

please find enclosed our request for conditional E.O.

Please let me know if you have any questions.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang
Bernhard, Renata Jungo Brüngger, Ola Källenius, Wilfried Porth, Britta Seeger,
Hubertus Troska, Bodo Uebber.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov]; dieter.waeller@daimler.com[dieter.waeller@daimler.com]; joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com]; juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com]
From: Hebert, Annette@ARB
Sent: Fri 6/9/2017 3:35:49 PM
Subject: RE: MY 17 Sprinter

Thanks, we will give it our attention.

Annette Hébert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS)
Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, June 09, 2017 8:32 AM
To: Hebert, Annette@ARB
Cc: bunker.byron@epa.gov; dieter.waeller@daimler.com; joanne.rotondi@hoganlovells.com; juergen.gleichauf@daimler.com
Subject: MY 17 Sprinter

Dear Annette,

I am pleased to provide you with Mercedes-Benz's responses to CARB's April 26, 2017 questions. Please find attached a complete set of answers to your April 26 questions. MB's new responses are provided in green. For ease of reference, we are also including MB's previously provided responses at the top of the excel file (shown in gray). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question.

I have also attached the documentation of the partial OBD demo which was uploaded earlier today and the approval of our plan for the durability run.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Please feel free to contact me directly if you have any questions.

Have a good day and a great weekend!

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification & Regulatory Affairs
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: Cullen, Daniel[Cullen.Daniel@epa.gov]; Good, David[good.david@epa.gov]; Peavyhouse, Robert[Peavyhouse.Robert@epa.gov]; French, Roberts[french.roberts@epa.gov]; david.tait@mbusa.com[david.tait@mbusa.com]; shaun.roopnarine@mbusa.com[shaun.roopnarine@mbusa.com]; felix.wellmann@daimler.com[felix.wellmann@daimler.com]
From: R-Thomas.Brunner@mbusa.com
Sent: Fri 3/31/2017 9:50:36 PM
Subject: Mercedes-Benz - Final MY16 CAFE and GHG Reports

Ex. 4 - CBI

Dear Mr. Bunker,

As required by 49 CFR 600.512-12, Mercedes-Benz USA, LLC (MBUSA), on behalf of Daimler Aktiengesellschaft (DAG), hereby submits the Final Model Year 2016 CAFE and GHG Reports – Import/Domestic Passenger Automobiles and Light Trucks.

The documents are attached for your reference. In addition, the documents have been uploaded to the EPA Verify System with the following Transaction ID's:

- Import/Domestic Passenger Automobiles: **Ex. 4 - CBI**
Ex. 4 - CBI
- Light Truck: **Ex. 4 - CBI**

If you have any questions, or if further information is needed, please feel free to contact me at r-thomas.brunner@mbusa.com, thank you.

Sincerely,

R. Thomas Brunner

Department Manager,

Vehicle Compliance and Analysis

Mercedes-Benz USA, LLC

1 Glenview Road

Montvale, NJ 07645

W 201-573-2622

C 201-888-6988

Email: r-thomas.brunner@mbusa.com

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
stefan.s.keppeler@daimler.com[stefan.s.keppeler@daimler.com];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
gary.wong@daimler.com[gary.wong@daimler.com];
Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov];
michael.regenfuss@arb.ca.gov[michael.regenfuss@arb.ca.gov];
thomas.montes@arb.ca.gov[thomas.montes@arb.ca.gov];
sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov];
Jackie.Lourenco@arb.ca.gov[Jackie.Lourenco@arb.ca.gov];
Duc.Nguyen@arb.ca.gov[Duc.Nguyen@arb.ca.gov];
peter.lueckert@daimler.com[peter.lueckert@daimler.com]
From: joerg.breuer@daimler.com
Sent: Fri 4/14/2017 6:05:37 PM
Subject: Complete Responses to CARB MY17 Sprinter Follow Up Questions from March 3 (JN) and March 15 (MF)

Ex. 4 - CBI

Dear Mark,

I am pleased to report that today, somewhat ahead of schedule, we are providing a complete set of responses to all of CARB's MY17 Sprinter questions sent on March 3 and March 15, 2017.

Below and attached is a complete set of answers to all of the 40 questions. For ease of reference, in addition to the questions answered today, we are also including the responses already provided on March 30, 2017. New responses are provided in blue and responses provided on March 30 are provided in green. Per your request, we are providing the responses in the originally requested format in the body of this email below. We also provide the responses in an excel format (attached). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question. MB's reference numbers are identified below in brackets before the response and also in the attached spreadsheet in the "Question Number" column. Please also note that all attachments referenced in the responses are provided in the excel document (each attachment is provided in a separate labeled tab within the excel file). If you would prefer to receive these responses in a different format, please let us know.

We are currently preparing responses to the new questions sent on April 8, 2017 and will provide those as soon as possible. We appreciate your patience.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger, Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

Questions Received from John Ng (received via email from John Ng to Gary Wong on March 3, 2017)

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov];
gary.wong@daimler.com[gary.wong@daimler.com];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
Cc: michael.regenfuss@arb.ca.gov[michael.regenfuss@arb.ca.gov];
thomas.montes@arb.ca.gov[thomas.montes@arb.ca.gov];
Jackie.Lourenco@arb.ca.gov[Jackie.Lourenco@arb.ca.gov];
Duc.Nguyen@arb.ca.gov[Duc.Nguyen@arb.ca.gov];
sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov];
satya.sardar@arb.ca.gov[satya.sardar@arb.ca.gov];
Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com]
From: joerg.breuer@daimler.com
Sent: Thur 3/30/2017 3:32:58 PM
Subject: AW: Follow Up Questions to MArch 13, 2017 Meeting with MB

Ex. 4 - CBI

Dear Mark,

here are answers to your questions from March 15 as well as answers to questions that John Ng raised on March 11 (all answers also in the two xls-files). We are working very hard to provide answers to all open questions as soon as possible.

Certification Questions

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Ex. 4 - CBI

Finally, on behalf of Mercedes I want to make sure that ARB & EPA understand that these materials are confidential, and are being submitted to ARB & EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

Von: Fuentes, Mark@ARB [mailto:mfuentes@arb.ca.gov]

Gesendet: Mittwoch, 15. März 2017 17:11

An: Breuer, Joerg (059) <joerg.breuer@daimler.com>; Wong, Gary (624)
<gary.wong@daimler.com>; Montague, R. Latane (latane.montague@hoganlovells.com)
<latane.montague@hoganlovells.com>

Cc: Regenfuss, Mike@ARB <michael.regenfuss@arb.ca.gov>; Montes, Thomas@ARB
<thomas.montes@arb.ca.gov>; Lourenco, Jackie@ARB <Jackie.Lourenco@arb.ca.gov>;
Nguyen, Duc@ARB <Duc.Nguyen@arb.ca.gov>; Lemieux, Sharon@ARB
<sharon.lemieux@arb.ca.gov>; Sardar, Satya@ARB <satya.sardar@arb.ca.gov>; Kamel,
Alexandra@ARB <Alexandra.Kamel@arb.ca.gov>; Hebert, Annette@ARB
<annette.hebert@arb.ca.gov>

Betreff: Follow Up Questions to MArch 13, 2017 Meeting with MB

Dear Dr. Breuer,

Please find attached ARB follow up questions from our March 13, 2017 meeting as well as our list of critical OBD monitors to be demonstrated. Please don't hesitate to contact me with any questions you or your team may have. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
gary.wong@daimler.com[gary.wong@daimler.com];
Alexandra.Kamel@arb.ca.gov[Alexandra.Kamel@arb.ca.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; Wehrly,
Linc[wehrly.linc@epa.gov]; joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com];
michael.regenfuss@arb.ca.gov[michael.regenfuss@arb.ca.gov];
thomas.montes@arb.ca.gov[thomas.montes@arb.ca.gov];
Judith.Fiorentini@doj.ca.gov[Judith.Fiorentini@doj.ca.gov];
Jon.Worm@doj.ca.gov[Jon.Worm@doj.ca.gov]; Laurel.Carnes@doj.ca.gov[Laurel.Carnes@doj.ca.gov]
From: joerg.breuer@daimler.com
Sent: Mon 3/27/2017 6:09:33 PM
Subject: Re: Plan for Responding to CARB questions

Dear Mark,

We have made substantial progress this week in preparing responses to the questions related to the MY 2017 Sprinter certification application. Below is a summary of our current timing on the open questions. The most difficult task we have remaining on the Sprinter, with the longest lead-time, is developing further refinements to our OBD monitors as requested in your March 13th letter. As reflected below, the need to include a relatively specific proposal on the OBD strategy in the request for conditional EO is resulting in a slight extension of the time before we submit the request for Conditional EO.

Here are our current timing targets for the various open questions:

- **42 Sprinter Certification Questions:** We will be providing these responses in several batches to expedite these responses:
 - o First batch is targeted for submission to CARB and EPA on **March 29**
 - o Second batch of responses is planned to begin the **week of April 3rd**, with any remaining responses to be provided on a rolling basis after that.
- **Initial OBD Demo results** for first 7 of 14 monitors using threshold components: targeted for submission on **March 29**
- **7 Certification Conditions Provided in March 9 Email:** We will include all of the critical conditions for the conditional EO in the letter requesting a conditional EO. This

request letter will also describe any enhancements or refinements to the OBD monitors that we will pursue. Since the OBD changes can't be implemented into production prior to certification, we are planning to include implementation of these changes to the OBD systems on in-use vehicles as a condition on the EO. Our goal is to submit our request for conditional approval as soon as the viability of our OBD refinements can be technically verified by our engineers. Our goal is to submit this request for conditional approval the week of **April 3rd**.

· **March 14 In-use Compliance Letter:** As soon as we complete the work we need to do to get the conditional EO for the Sprinter, we will shift our focus to providing responses to the questions and issues raised in the March 14 letter. As you may know, we are simultaneously preparing responses to the EPA Section 208 requests, many of which overlap with CARB's questions, and we need to coordinate these work streams. We propose to provide a more specific timeline for responding to CARB's questions as soon as we have further guidance from EPA on the timeline for responding to the Section 208 requests. Our expectation is that we will need more than one meeting and data submission to answer all of CARB's questions, but our plan would be to provide those responses on a rolling basis.

Please let me know if you have any questions. Thanks.

Regards, Joerg

Herzlichen Gruß,

Jörg Breuer

Am 27.03.2017 um 17:00 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Thanks Joerg. Roughly when do you anticipate completing your internal assessment? I think a brief call may help keep us moving in the right direction. Are you available today for a call? Thanks

Sent from my ARB iPhone

On Mar 27, 2017, at 4:16 AM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:

Dear Mark,

Let me try to clarify the status on our end in order to avoid misunderstandings: We are currently evaluating contents and timing of the next steps. As soon as we have concluded our internal assessment we will get back to you.

Sorry for the delay!
Regards, Joerg

Gruß,
Jörg Breuer

Am 24.03.2017 um 18:47 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Dear Joerg,

I understand Latane is en route and unavailable for a call before Monday. Gary just called and informed me that you will follow up to my email today with:

1. An update on open issues
2. A proposed time for a call on Monday
3. A target of Wednesday for the first batch of answers

We look forward to your email and call on Monday.

Sincerely,

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

From: Fuentes, Mark@ARB

Sent: Thursday, March 23, 2017 8:35 PM

To: joerg.breuer@daimler.com; Montague, R. Latane; Kamel, Alexandra@ARB

Cc: Hebert, Annette@ARB; bunker.byron@epa.gov; 'Wehrly, Linc'

(wehrly.linc@epa.gov); Rotondi, Joanne; Regenfuss, Mike@ARB; Montes,

Thomas@ARB; Judith.Fiorentini@doj.ca.gov; Jon Worm; Laurel.Carnes@doj.ca.gov

Subject: RE: Plan for Responding to CARB questions

Dear Joerg and Latane,

Will you be available for a call tomorrow to update us on the status of responses to:

- 32 ARB questions sent on 3/3/17
- 11 additional questions following up on 3/13/17 meeting with MB
- ARB's 7 additional minimum conditions sent on 3/9/17
- ARB Non-compliance letter sent 3/14/17

Any time between 11am – 2pm PDT works for CARB. If so can you provide the call in numbers? Thanks so much.

Mark

From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]
Sent: Friday, March 17, 2017 3:31 PM
To: Kamel, Alexandra@ARB; Fuentes, Mark@ARB
Cc: Hebert, Annette@ARB; bunker.byron@epa.gov; joerg.breuer@daimler.com; Rotondi, Joanne; Regenfuss, Mike@ARB
Subject: Plan for Responding to CARB questions

As we discussed this afternoon, here is our plan for responding the outstanding questions from CARB on the MY 2017 Sprinter and other MB diesel vehicles.

1. **MY 2017 Sprinter Questions**

There are approximately 43 open questions regarding the MY 2017 Sprinter. Including 32 from early March, and 11 more from March 14. We will focus on these questions first.

We will respond to approximately half of these questions before the Conditional EO is expected at the end of March.

For any unanswered questions on the MY 2017 Sprinter (approximately the second half), we will make responding to them conditions to the Conditional EO.

These are questions that require us to generate more test data, and then analyze test results. We expect to be able to answer all such questions within 4-6 weeks of getting the Conditional EO. We will nail down the timing in our workshop next week, and be in a position to put hard deadlines for answers into our request for a conditional EO.

2. **Questions From March 14 In-Use Compliance Letter**

Once we answer all the questions on the MY 2017 Sprinter we will focus on the questions in the March 14 In-Use Compliance letter. As we discussed today, we will have a better sense of timing on those question by the end of next week, and we will send a proposed response process, including dates for the first submission, and first meeting at the end of next week.

Questions about Intrusive Monitors

Ex. 4 - CBI

Ex. 4 - CBI

We will be in touch next week with answers, and more detailed plans for completing all responses.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells

Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

Direct: +1 202 637 6567

Fax: +1 202 637 5910

Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]
From: Montague, R. Latane
Sent: Fri 3/3/2017 11:08:13 PM
Subject: RE: Next Meeting

Ex. 4 - CBI

Contains Confidential Business Information

Byron,

I meant to cc you on the email below. My apologies.

From: Montague, R. Latane
Sent: Friday, March 03, 2017 6:03 PM
To: Fuentes, Mark@ARB
Cc: annette.hebert@arb.ca.gov; Wehrly, Linc; joerg.breuer@daimler.com
Subject: RE: Next Meeting

Contains Confidential Business Information

Ex. 4 - CBI

Ex. 4 - CBI

On Mar 1, 2017, at 7:33 PM, Fuentes, Mark@ARB <mfuentes@arb.ca.gov> wrote:

Thanks Latane,

Is there any chance you can send the docs this Friday?

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]

Sent: Wednesday, March 01, 2017 6:14 AM

To: Fuentes, Mark@ARB

Subject: RE: Next Meeting

Mark,

This time will work. I think we should only need 1 1/2 hours for this initial kick-off meeting. As Jackie suggested, we want to use this initial meeting to highlight the new information in the AECD, explain how it is laid out, and provide a basic overview of the new format. This should be doable in 1.5 hours.

We would expect to respond to more detailed technical questions after CARB and EPA have had a chance to spend more time with the document, and with more notice we will be able to determine which experts we need to bring to California, or the next call, etc. For Monday's meeting, Ashim Manchanda and Gary Wong will attend in person, and the other MB attendees will dial-in.

I will send out a calendar invite for **9:00-10:30 Pacific**, with the dial-in information, which you can forward to your team as appropriate.

Thank you for helping to organize all of this, we really appreciate it.

Best Regards,

Latane

From: Fuentes, Mark@ARB [<mailto:mfuentes@arb.ca.gov>]
Sent: Tuesday, February 28, 2017 10:36 AM
To: Montague, R. Latane
Subject: Next Meeting

Hi Latane,

Following up on our last meeting, I wanted to offer March 6, 2017 from 9-12 PDT here in El Monte as the next time and place to continue or discussions. EPA is ok with the date and will call in or link by video. I would also like to ask that MB set up the call in number. I can be reached at 626-634-9030 if you have any questions. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; tillmann.braun@daimler.com[tillmann.braun@daimler.com]; ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]; Cullen, Daniel[Cullen.Daniel@epa.gov]; Judith Fiorentini[Judith.Fiorentini@doj.ca.gov]; Jon Worm[Jon.Worm@doj.ca.gov]
From: Montague, R. Latane
Sent: Wed 2/22/2017 9:07:49 PM
Subject: RE: MY2017 Sprinter Van cert. application

Please use the call in numbers below.

Ex. 6 - Personal Privacy

-----Original Appointment-----

From: Montague, R. Latane
Sent: Wednesday, February 22, 2017 8:51 AM
To: Montague, R. Latane; Bunker, Byron; joerg.breuer@daimler.com; mfuentes@arb.ca.gov
Cc: annette.hebert@arb.ca.gov; Wehrly, Linc; tillmann.braun@daimler.com; ashim.manchanda@daimler.com; Cullen, Daniel; Judith Fiorentini; Jon Worm
Subject: MY2017 Sprinter Van cert. application
When: Wednesday, February 22, 2017 4:00 PM-5:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Conference Line 866-631-0845; Conference Code 6545573

From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]
Sent: Wednesday, February 22, 2017 8:13 AM
To: joerg.breuer@daimler.com; mfuentes@arb.ca.gov
Cc: Montague, R. Latane; annette.hebert@arb.ca.gov; Wehrly, Linc; tillmann.braun@daimler.com; ashim.manchanda@daimler.com; Cullen, Daniel
Subject: RE: MY2017 Sprinter Van cert. application

Sorry. I see now that Mark Fuentes already sent a conference line yesterday. Let's use that instead.

Please disregard my note below and use the following conference information from CARB.

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]
Cc: juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
tillmann.braun@daimler.com[tillmann.braun@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
ashim.manchanda@daimler.com[ashim.manchanda@daimler.com];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Wed 4/12/2017 12:28:18 PM
Subject: WG: Updated OBD slides (CARB/EPA meeting April 11)

Ex. 4 - CBI

Dear Mark, dear Byron,

please find enclosed the updated version of the slides describing the improvements of the SCR catalyst monitor.

We will attach it to the Request for a Conditional EO which we plan to send to you next Tuesday.

Ex. 4 - CBI

On behalf of Mercedes I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]
Cc: Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Rotondi, Joanne[joanne.rotondi@hoganlovells.com]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]
From: Montague, R. Latane
Sent: Fri 3/17/2017 10:31:16 PM
Subject: Plan for Responding to CARB questions

Ex. 4 - CBI

As we discussed this afternoon, here is our plan for responding the outstanding questions from CARB on the MY 2017 Sprinter and other MB diesel vehicles.

1. MY 2017 Sprinter Questions

There are approximately 43 open questions regarding the MY 2017 Sprinter. Including 32 from early March, and 11 more from March 14. We will focus on these questions first.

We will respond to approximately half of these questions before the Conditional EO is expected at the end of March.

For any unanswered questions on the MY 2017 Sprinter (approximately the second half), we will make responding to them conditions to the Conditional EO. These are questions that require us to generate more test data, and then analyze test results. We expect to be able to answer all such questions within 4-6 weeks of getting the Conditional EO. We will nail down the timing in our workshop next week, and be in a position to put hard deadlines for answers into our request for a conditional EO.

2. Questions From March 14 In-Use Compliance Letter

Once we answer all the questions on the MY 2017 Sprinter we will focus on the questions in the March 14 In-Use Compliance letter. As we discussed today, we will have a better sense of timing on those question by the end of next week, and we will send a proposed response process,

including dates for the first submission, and first meeting at the end of next week.

Ex. 4 - CBI

We will be in touch next week with answers, and more detailed plans for completing all responses.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells Columbia Square 555 Thirteenth Street, NW Washington, DC 20004	
Direct:	+1 202 637 6567
Fax:	+1 202 637 5910
Email:	latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Wed 2/22/2017 9:04:05 PM
Subject: AW: MY2017 Sprinter Van cert. application

Seems the number does not work for us in Germany...

Viele Grüße,

Dr. Jörg Breuer

Von: Bunker, Byron [mailto:bunker.byron@epa.gov]
Gesendet: Mittwoch, 22. Februar 2017 14:13
An: Breuer, Joerg (059) <joerg.breuer@daimler.com>; mfuentes@arb.ca.gov
Cc: latane.montague@hoganlovells.com; annette.hebert@arb.ca.gov; Wehrly, Linc <wehrly.linc@epa.gov>; Braun, Tillmann (059) <tillmann.braun@daimler.com>; Manchanda, Ashim (624) <ashim.manchanda@daimler.com>; Cullen, Daniel <Cullen.Daniel@epa.gov>
Betreff: RE: MY2017 Sprinter Van cert. application

Sorry. I see now that Mark Fuentes already sent a conference line yesterday. Let's use that instead.

Please disregard my note below and use the following conference information from CARB.

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: Bunker, Byron

Sent: Wednesday, February 22, 2017 8:11 AM

To: 'joerg.breuer@daimler.com' <joerg.breuer@daimler.com>; mfuentes@arb.ca.gov

Cc: latane.montague@hoganlovells.com; annette.hebert@arb.ca.gov; Wehrly, Linc
<wehrly.linc@epa.gov>; tillmann.braun@daimler.com; ashim.manchanda@daimler.com;
Cullen, Daniel <cullen.daniel@epa.gov>

Subject: RE: MY2017 Sprinter Van cert. application

We can use my call-in information.

CARB/EPA/Mercedes Conference Call 2017 Sprinter Certification

22 February 2017

1 PM PST, 4PM EST, 10 PM CET

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Wednesday, February 22, 2017 2:18 AM

To: mfuentes@arb.ca.gov

Cc: latane.montague@hoganlovells.com; Bunker, Byron <bunker.byron@epa.gov>;
annette.hebert@arb.ca.gov; Wehrly, Linc <wehrly.linc@epa.gov>;

tillmann.braun@daimler.com; ashim.manchanda@daimler.com

Subject: Re: MY2017 Sprinter Van cert. application

Mark,

thanks for offering a time slot, we will be available to discuss next steps today. Can you provide call-in information or do you want us to set something up?

Herzlichen Gruß,

Jörg Breuer

Am 21.02.2017 um 21:57 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Latane,

Thanks for the update. We discussed this with EPA this morning and would like to propose 1-2 pm pacific tomorrow 2/22/17 to hear the rest of your update. Will you be emailing the AECD descriptions today? Thanks

Mark

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]
Sent: Friday, February 17, 2017 1:15 PM
To: Bunker, Byron; Hebert, Annette@ARB
Cc: joerg.breuer@daimler.com; Fuentes, Mark@ARB; Wehrly, Linc
Subject: MY2017 Sprinter Van cert. application

Byron and Annette,

Ex. 4 - CBI

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document we would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells

Columbia Square
555 Thirteenth Street, NW

Washington, DC 20004

Direct: +1 202 637 6567

Fax: +1 202 637 5910

Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]; mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]
Cc: tillmann.braun@daimler.com[tillmann.braun@daimler.com]; ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]; Cullen, Daniel[Cullen.Daniel@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Montague, R. Latane
Sent: Wed 2/22/2017 8:50:20 PM
Subject: RE: MY2017 Sprinter Van cert. application

Ex. 4 - CBI

Attached is the presentation for our call at 4:00 Eastern. Please share with your team as needed.

From: Bunker, Byron [mailto:bunker.byron@epa.gov]
Sent: Wednesday, February 22, 2017 8:13 AM
To: joerg.breuer@daimler.com; mfuentes@arb.ca.gov
Cc: Montague, R. Latane; annette.hebert@arb.ca.gov; Wehrly, Linc; tillmann.braun@daimler.com; ashim.manchanda@daimler.com; Cullen, Daniel
Subject: RE: MY2017 Sprinter Van cert. application

Sorry. I see now that Mark Fuentes already sent a conference line yesterday. Let's use that instead.

Please disregard my note below and use the following conference information from CARB.

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Bunker, Byron[bunker.byron@epa.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; tillmann.braun@daimler.com[tillmann.braun@daimler.com]; ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]
From: joerg.breuer@daimler.com
Sent: Wed 2/22/2017 7:17:58 AM
Subject: Re: MY2017 Sprinter Van cert. application

Mark,

thanks for offering a time slot, we will be available to discuss next steps today. Can you provide call-in information or do you want us to set something up?

Herzlichen Gruß,
Jörg Breuer

Am 21.02.2017 um 21:57 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Latane,

Thanks for the update. We discussed this with EPA this morning and would like to propose 1-2 pm pacific tomorrow 2/22/17 to hear the rest of your update. Will you be emailing the AECD descriptions today? Thanks

Mark

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]
Sent: Friday, February 17, 2017 1:15 PM
To: Bunker, Byron; Hebert, Annette@ARB
Cc: joerg.breuer@daimler.com; Fuentes, Mark@ARB; Wehrly, Linc
Subject: MY2017 Sprinter Van cert. application

Byron and Annette,

Ex. 4 - CBI

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document we would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

Direct: +1 202 637 6567

Fax: +1 202 637 5910

Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Wehrly, Linc[wehrly.linc@epa.gov]
From: Montague, R. Latane
Sent: Tue 2/21/2017 11:37:21 PM
Subject: Re: MY2017 Sprinter Van cert. application

Mark,
Thank you. We are still trying to confirm whether this time will work for our colleagues in Germany and will confirm as soon as possible.

Latane

On Feb 21, 2017, at 3:57 PM, Fuentes, Mark@ARB <mfuentes@arb.ca.gov> wrote:

Latane,

Thanks for the update. We discussed this with EPA this morning and would like to propose 1-2 pm pacific tomorrow 2/22/17 to hear the rest of your update. Will you be emailing the AECD descriptions today? Thanks

Mark

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]
Sent: Friday, February 17, 2017 1:15 PM
To: Bunker, Byron; Hebert, Annette@ARB
Cc: joerg.breuer@daimler.com; Fuentes, Mark@ARB; Wehrly, Linc
Subject: **Ex. 4 - CBI**

Byron and Annette,

Ex. 4 - CBI

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document we would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

Direct: +1 202 637 6567

Fax: +1 202 637 5910

Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: Montague, R. Latane[latane.montague@hoganlovells.com]; Bunker, Byron[bunker.byron@epa.gov]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]
Cc: joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Wehrly, Linc[wehrly.linc@epa.gov]
From: Fuentes, Mark@ARB
Sent: Tue 2/21/2017 8:57:38 PM
Subject: RE: MY2017 Sprinter Van cert. application

Latane,

Thanks for the update. We discussed this with EPA this morning and would like to propose 1-2 pm pacific tomorrow 2/22/17 to hear the rest of your update. Will you be emailing the AECD descriptions today? Thanks

Mark

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Montague, R. Latane [mailto:latane.montague@hoganlovells.com]
Sent: Friday, February 17, 2017 1:15 PM
To: Bunker, Byron; Hebert, Annette@ARB
Cc: joerg.breuer@daimler.com; Fuentes, Mark@ARB; Wehrly, Linc
Subject: MY2017 Sprinter Van cert. application

Byron and Annette,

Ex. 4 - CBI

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document will would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague
Partner

Hogan Lovells
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
Direct: +1 202 637 6567
Fax: +1 202 637 5910
Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com]
From: joerg.breuer@daimler.com
Sent: Fri 6/9/2017 3:32:12 PM
Subject: MY 17 Sprinter

Ex. 4 - CBI

Dear Annette,

I am pleased to provide you with Mercedes-Benz's responses to CARB's April 26, 2017 questions. Please find attached a complete set of answers to your April 26 questions. MB's new responses are provided in green. For ease of reference, we are also including MB's previously provided responses at the top of the excel file (shown in gray). Please note that in order to facilitate tracking and cross references, we assigned reference numbers to each question.

I have also attached the documentation of the partial OBD demo which was uploaded earlier today and the approval of our plan for the durability run.

On behalf of Mercedes-Benz I want to make sure that ARB and EPA understand that these materials are confidential, and are being submitted to ARB and EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Please feel free to contact me directly if you have any questions.

Have a good day and a great weekend!

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification & Regulatory Affairs
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: gary.wong@daimler.com[gary.wong@daimler.com];
Duc.Nguyen@arb.ca.gov[Duc.Nguyen@arb.ca.gov];
Jackie.Lourenco@arb.ca.gov[Jackie.Lourenco@arb.ca.gov]
Cc: felix.wellmann@daimler.com[felix.wellmann@daimler.com]
From: dpaul@arb.ca.gov
Sent: Tue 5/30/2017 6:46:42 PM
Subject: RE: Presentation for durability run procedure

Ex. 4 - CBI

Hello Gary/Felix,

The plan for MY17 Sprinter 3.0L durability run is acceptable to us.

Thank you and have a good one.

Depinder Paul

Air Resources Engineer

ARB | Emissions Compliance, Automotive Regulations and Science Division | On-Road Light-Duty
Certification Section (ORLDCS)

Ph: (626) 575-6653

From: gary.wong@daimler.com [mailto:gary.wong@daimler.com]
Sent: Tuesday, May 30, 2017 9:30 AM
To: Paul, Depinder@ARB; Nguyen, Duc@ARB; Lourenco, Jackie@ARB
Subject: RE: Presentation for durability run procedure

Hi,

After answering some initial questions from Depinder, we added those comments to the presentation (attached). They are shown in gray text boxes on slides 6, 8, and 10.

Please let us know if the plan is acceptable. The vehicles are ready for mileage accumulation and we would like to start as soon as possible in order to meet the target timing.

Thanks,

Gary

From: Wong, Gary (624)

Sent: Tuesday, May 23, 2017 8:17 AM

To: Paul, Depinder@ARB <dpaul@arb.ca.gov>; Nguyen, Duc@ARB
<Duc.Nguyen@arb.ca.gov>; Lourenco, Jackie@ARB <Jackie.Lourenco@arb.ca.gov>

Subject: RE: Presentation for durability run procedure

Hi,

I just wanted to follow up on our proposals for the MY17 Sprinter durability run. We are ready to start the testing and I just wanted to confirm that our requested proposals for the two items below are OK.

1. Proposal for cooldown phase
2. Proposal for tracking of the regenerations

Thanks,

Gary

From: Wong, Gary (624)

Sent: Friday, May 19, 2017 8:23 AM

To: Paul, Depinder@ARB <dpaul@arb.ca.gov>; Nguyen, Duc@ARB
<Duc.Nguyen@arb.ca.gov>; Lourenco, Jackie@ARB <Jackie.Lourenco@arb.ca.gov>

Subject: RE: Presentation for durability run procedure

Hi,

Thank you for your time earlier this week to discuss our MY17 Sprinter OM642 durability plan. Attached, please find our completed homework items from the meeting starting on slide 5.

Please let me know if you have any questions or comments as we are planning to start the durability run shortly.

Finally, on behalf of Mercedes I want to make sure that ARB understands that these materials are confidential, and are being submitted to ARB under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks,

Gary

From: Wong, Gary (624)
Sent: Tuesday, May 16, 2017 10:24 AM
To: Paul, Depinder@ARB <dpaul@arb.ca.gov>
Subject: FW: Presentation for durability run procedure

Hi Depinder,

Please see the material for today's meeting.

Thanks,

Gary

From: Schlossarek, Sven (059)
Sent: Tuesday, May 16, 2017 10:15 AM

To: Wong, Gary (624) <gary.wong@daimler.com>
Cc: Wellmann, Felix (059) <felix.wellmann@daimler.com>
Subject: Presentation for durability run procedure

Hi Gary,

Find attached the presentation for todays call.

Greetings Sven

Mit freundlichen Grüßen / kind regards

Sven Schlossarek
Master of Science

DAIMLER AG | Research & Development

Arbeitnehmerüberlassen von Ferchau Engineering GmbH
Vehicle Functions - Certification, Emissions, Regulations | RD/FZE

Emission Certification USA & Canada, Coast Down Measurement and Emissions Lab Audit
Mobile: +49 - (0)176 - 309 54 995 | eFax: +49 - (0)711 - 30 - 52175006

Address: Daimler AG, HPC G363, Gebäude/Building DEGI, Posener Str. 1, 71065 Sindelfingen

Email: sven.schlossarek@daimler.com

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Martin Daum, Renata Jungo Brüngger, Wilfried Porth, Hubertus Troska, Bodo Uebber, Ola Källenius

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov];
Mark.Fuentes@arb.ca.gov[Mark.Fuentes@arb.ca.gov]
Cc: juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com]
From: joerg.breuer@daimler.com
Sent: Wed 4/12/2017 6:42:50 AM
Subject: WG: Updated AECD Description MY17 Sprinter (Delta doc from Feb 2017)

Ex. 4 - CBI

Dear Byron, dear Mark:

As discussed earlier, please find within the updated AECD description document. This is prepared as a redline comparison to the description document submitted in February.

On behalf of Mercedes I want to make sure that ARB & EPA understand that these materials are confidential, and are being submitted to ARB & EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Thur 5/11/2017 6:28:42 AM
Subject: WG: Revisions to CEO request

Dear Byron,

just so you know: the article below seems to be based on the fact that we had put certification of certain passenger cars on hold last year.

The company will make a decision regarding further Diesel certification applications in 2017 within the next weeks. I will keep you and Annette informed.

Thanks, Joerg

Viele Grüße,

Dr. Jörg Breuer

Von: Breuer, Joerg (059)
Gesendet: Mittwoch, 10. Mai 2017 08:50
An: 'Hebert, Annette@ARB' <annette.hebert@arb.ca.gov>
Cc: Leifert, Johannes (417) <johannes.leifert@daimler.com>; Gleichauf, Juergen (059) <juergen.gleichauf@daimler.com>; latane.montague@hoganlovells.com
Betreff: AW: Revisions to CEO request

Annette, can only speculate that this article refers to MY 17 Diesel certification projects that were put on hold early in 2016 Ex. 4 - CBI

Viele Grüße,

Dr. Jörg Breuer

Von: Hebert, Annette@ARB [<mailto:annette.hebert@arb.ca.gov>]

Gesendet: Mittwoch, 10. Mai 2017 01:47

An: Breuer, Joerg (059) <joerg.breuer@daimler.com>

Betreff: RE: Revisions to CEO request

Joerg, we saw an article that says you have dropped your 2017 product request? Is that true?

Annette Hébert, Chief

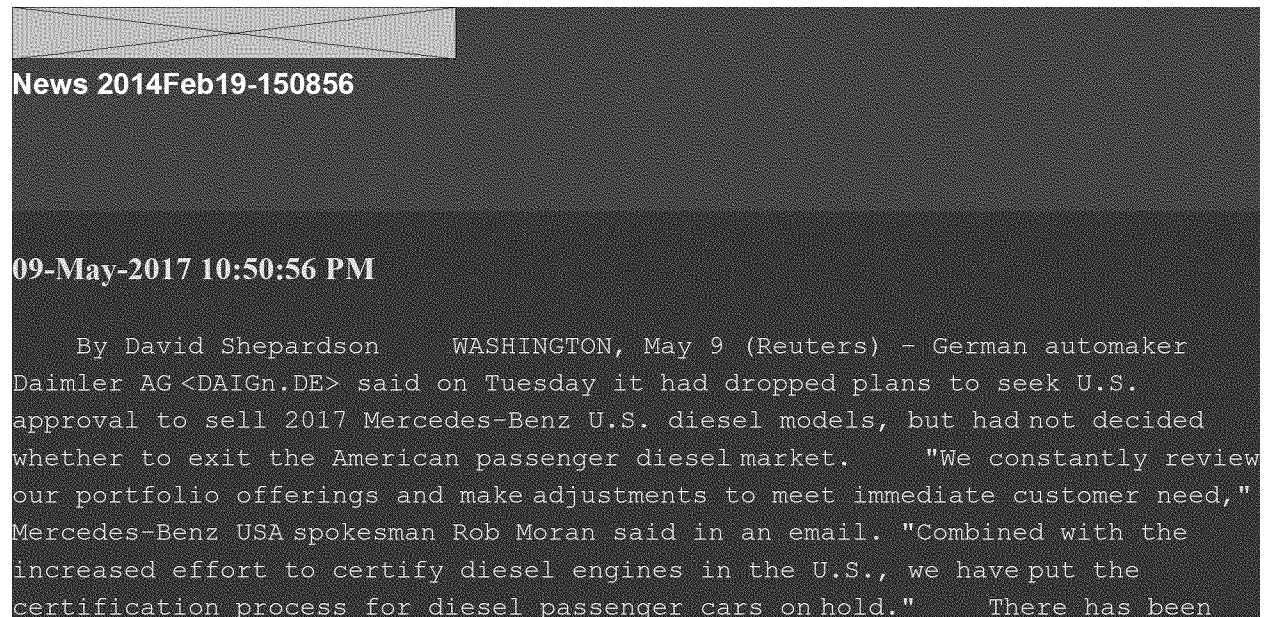
Emissions Compliance, Automotive Regulations and Science (ECARS)
Division

California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

Betreff: News : Daimler drops bid to win approval to sell U.S. 2017 Mercedes diesels



growing scrutiny of diesel vehicles in the United States since Volkswagen AG <VOWG_p.DE> admitted in September 2015 to installing secret software on 580,000 U.S. vehicles that allowed them to emit up to 40 times legally allowable emissions. VW was sentenced in April after pleading guilty in the emissions scandal. In total, VW has agreed to spend up to \$25 billion in the United States to address claims from owners, environmental regulators, states and dealers and offered to buyback about 500,000 polluting U.S. vehicles. [nL1N1HT0ND] Last month, Daimler said investigations by authorities of diesel emissions and auxiliary emission control devices could lead to significant penalties and recalls. The U.S. Justice Department, EPA, California Air Resources Board and a prosecutor in Stuttgart, Germany, are investigating emissions of Mercedes-Benz diesel vehicles. In March, the Stuttgart prosecutor launched an investigation against Daimler employees on suspicion of fraud and misleading advertising tied to vehicle emissions. The company told Automotive News in October that it planned to seek approval to sell four U.S. Mercedes diesel models for the 2017 model year. Last year, Mercedes-Benz offered four U.S. diesel models. In April, Dietmar Exler, president and chief executive of Mercedes-Benz USA, told reporters the company had not made a decision "one way or the other" on the future of U.S. diesel sales. [nL1N1HL1QD] Moran said diesel vehicles in the U.S. in 2016 accounted for less than 1 percent of U.S. sales and the company could still opt to seek 2017 certification at a later date. The company is "leaving the door open to offer diesels as a potential option in our passenger cars and SUVs." Daimler won approval in late April to sell U.S. diesel Sprinter commercial vans after months of talks with regulators. [nL1N1I510J] In January, the EPA and CARB accused Fiat Chrysler Automobiles NV <FCHA.MI> of illegally using software to allow excess diesel emissions from 104,000 U.S. trucks and SUVs. Regulators have refused to grant Fiat Chrysler approval to sell 2017 U.S. diesel models. [nL2N1GK1VU] (Reporting by David Shepardson; Editing by Peter Cooney) ((David.Shepardson@thomsonreuters.com; 2028988324;)) Keywords: DAIMLER EMISSIONS/

Triggered: 5/9/2017 10:50 PM

Symbol: VOWG.DE

Industries: Automobiles & Auto Parts (TRBO)

Source: Reuters News

View:



Pause This Alert Subscription:



Delete This Alert Subscription:



Using the Via Browser option may log you off from your active Eikon session. Use the Via Eikon Desktop

option when you are at your desktop.

Please do not respond to this message as this mailbox is not monitored.

This service is subject to your company's agreement with Thomson Reuters including the Terms of Use.



If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
paul.hecht@daimler.com[paul.hecht@daimler.com];
dieter.waeller@daimler.com[dieter.waeller@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com]
From: joerg.breuer@daimler.com
Sent: Mon 4/10/2017 5:00:10 PM
Subject: Fwd: Mail für Mark. F. OBD Demo

Ex. 4 - CBI

> Dear Mark,
>
> Thank you for the memo you sent us last Saturday with more guidance on how to proceed with potential Certification Paths for Daimler 2017 MY Sprinter.
> We appreciate your continued support on this topic.

Ex. 4 - CBI

> and the added cover letter which pro-actively lists potential issues per normal practice (A. 2 Cover Letter.pdf)
> It is planned to upload everything to DMS, latest by Wednesday including an update of the entire OBD documentation.
> We are working in parallel with highest priority to send answers to all the pending questions.
>
> As a next step we plan to send out the AECD update by tomorrow.
>
> Finally, on behalf of Mercedes I want to make sure that ARB & EPA understand that these materials are confidential, and are being submitted to ARB & EPA under a request for confidential treatment, and should get the benefit of all applicable California Public Records Act and FOIA disclosure exemptions.
>
> Thanks, Joerg
>
>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]
Cc: Montague, R. Latane[latane.montague@hoganlovells.com]; Peter, Ellen M. @ARB[ellen.peter@arb.ca.gov]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Hebert, Annette@ARB
Sent: Mon 3/13/2017 10:14:39 PM
Subject: Re: Sprinter - Conference Call with CARB and EPA

530 is the earliest I can do it.

Sent from my ARB iPhone

> On Mar 13, 2017, at 2:43 PM, Kamel, Alexandra@ARB <Alexandra.Kamel@arb.ca.gov> wrote:

>

> Yes, I will be participating, so circulating a dial-in would be great. We have another meeting until about 5pm PDT, so perhaps at 5:30?

>

> From: Hebert, Annette@ARB

> Sent: Monday, March 13, 2017 2:27 PM

> To: Montague, R. Latane; Kamel, Alexandra@ARB; Peter, Ellen M. @ARB

> Cc: Fuentes, Mark@ARB; Bunker, Byron; joerg.breuer@daimler.com

> Subject: Re: Sprinter - Conference Call with CARB and EPA

>

> Although booked up will make time.

>

> Sent from my ARB iPhone

>

>> On Mar 13, 2017, at 2:14 PM, Montague, R. Latane <latane.montague@hoganlovells.com> wrote:

>>

>> Annette,

>> Would you have a few minutes this afternoon for a short follow-up call on what the implications of a conditional EO are? For example, if you have answers to any of the questions I raised today, that would be very helpful.

>>

>> For example, it would be good to understand whether a temporary failure to meet a condition (like submitting a required report) can be cured, or if it would result in a permanent revocation of the EO.

>>

>> Daimler make be making important decisions tomorrow on whether and how to proceed, and any additional feedback on what will be expected if we pursue the conditional EO would be very helpful to have before tomorrow.

>>

>> Let me know if you have some time for a short call?

>>

>> If Byron and/or Mark or Alex are interested and available for that call I could circulate a dial-in.

>>

>> Let me know when would be convenient.

>>

>> -----Original Message-----

>> From: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]

>> Sent: Friday, March 10, 2017 8:45 PM

>> To: Bunker, Byron; joerg.breuer@daimler.com

>> Cc: Fuentes, Mark@ARB; Ayala, Alberto@ARB; Montague, R. Latane; volker.mornhinweg@daimler.com

>> Subject: RE: Sprinter - Conference Call with CARB and EPA

>>

>> Will be on.

>>
>> Annette Hebert, Chief
>> Emissions Compliance, Automotive Regulations and Science (ECARS) Division California Air
Resources Board
>> (626)450-6150
>> ahebert@arb.ca.gov
>>
>>
>> -----Original Message-----
>> From: Bunker, Byron [mailto:bunker.byron@epa.gov]
>> Sent: Friday, March 10, 2017 5:10 PM
>> To: joerg.breuer@daimler.com
>> Cc: Fuentes, Mark@ARB; Hebert, Annette@ARB; Ayala, Alberto@ARB;
latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
>> Subject: Re: Sprinter - Conference Call with CARB and EPA
>>
>> Thanks that will work for me. We will talk at 8.
>>
>> Thanks,
>>
>> Byron
>>
>> Sent from my iPhone
>>
>>> On Mar 10, 2017, at 8:08 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>>>
>>> Hello Byron,
>>>
>>> both times work for me - shall we say 8 AM PST then?
>>>
>>> Thanks, Joerg
>>>
>>> Herzlichen Gruß,
>>> Jörg Breuer
>>>
>>>> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>>>
>>>> Hello Joerg,
>>>>
>>>> We would like to have a conference call yet today if possible or tomorrow to discuss what the
company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>>>>
>>>> I know it is very late in Germany, but if you are still available we will make time yet today to speak.
Just respond to this note and let us know the time.
>>>>
>>>> If you are reading this note on Saturday morning, please respond and let us know a time that can
work for you.
>>>>
>>>> Our preference on Saturday would be either 8AM PST or 10AM PST.
>>>>
>>>> We will use the following call-in information whenever the call can occur.
>>>>
>>>> Call-in Number.
>>>>
>>>> **Ex. 6 - Personal Privacy**
>>>>

>>>> From an International Phone Ex. 6 - Personal Privacy as above

>>>>

>>>> Thanks,

>>>>

>>>> Byron

>>>>

>>>> *****

>>>> Byron Bunker

>>>> Director Compliance Division

>>>> Office of Transportation and Air Quality Environmental Protection

>>>> Agency

>>>> 2000 Traverwood Drive

>>>> Ann Arbor, MI 48105

>>>> Bunker.Byron@epa.gov

>>>> Phone: (734) 214-4155

>>>> Mobile: (734) 353-9623

>>>> *****

>>>>

>>>> -----Original Message-----

>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>> Sent: Friday, March 10, 2017 6:26 AM

>>>> To: mfuentes@arb.ca.gov

>>>> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov;

>>>> aayala@arb.ca.gov; latane.montague@hoganlovells.com;

>>>> volker.mornhinweg@daimler.com

>>>> Subject: Re: Sprinter

>>>>

>>>> Dear Mark,

>>>>

>>>> thanks. We will discuss your recommendations internally and get back to you shortly.

>>>>

>>>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>>>>

>>>> I will try to call you later today.

>>>>

>>>> Regards, Joerg

>>>>

>>>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>>>>

>>>>> Dear Jorg,

>>>>>

>>>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>>>>

>>>>> Cell 626-634-9030

>>>>> Ofc 626-575-6815

>>>>>

>>>>> -----Original Message-----

>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>>> Sent: Thursday, March 09, 2017 5:26 PM

>>>>> To: bunker.byron@epa.gov

>>>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

>>>>> Subject: Re: Sprinter

>>>>>

>>>>> Thank you so much, Byron. Looking forward to the recommendation!

>>>>>

>>>>> Regards, Joerg

>>>>>

>>>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>>>>

>>>>>> Hi Joerg,

>>>>>>

>>>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>>>>>

>>>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>>>>

>>>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>>>>

>>>>>> Best regards,

>>>>>>

>>>>>> Byron

>>>>>>

>>>>>> Sent from my iPhone

>>>>>>

>>>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>>>>

>>>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>>>>

>>>>>>> Annette Hebert, Chief

>>>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>>>>> Division California Air Resources Board

>>>>>>> (626)450-6150

>>>>>>> ahebert@arb.ca.gov

>>>>>>>

>>>>>>>

>>>>>>> -----Original Message-----

>>>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>>>>> Sent: Thursday, March 09, 2017 9:58 AM

>>>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>>>>>> Subject: Sprinter

>>>>>>>

>>>>>>> Hello Annette and Byron,

>>>>>>>

>>>>>>> hope you have received the material you requested. As discussed it

>>>>>>> would be great if you could provide feedback today so that I can

>>>>>>> coordinate with Germany before our internal deadline. I will be

>>>>>>> flying back to Europe this evening. Please feel free to give me a

>>>>>>> call if you have any questions. Thanks, Joerg

>>>>>>>

>>>>>>> Herzlichen Gruß,

>>>>>>> Jörg Breuer

>>>>>>>

>>>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail

by mistake, and delete it. We thank you for your support.

>>>>>

>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>

>>>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>

>>>>>

>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>

>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>

>>>>

>> About Hogan Lovells

>> Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

>>>>

>> CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed. It may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

>>>>

To: Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Montague, R. Latane[latane.montague@hoganlovells.com]; Peter, Ellen M. @ARB[ellen.peter@arb.ca.gov]
Cc: Fuentes, Mark@ARB[rfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Kamel, Alexandra@ARB
Sent: Mon 3/13/2017 9:43:22 PM
Subject: RE: Sprinter - Conference Call with CARB and EPA

Yes, I will be participating, so circulating a dial-in would be great. We have another meeting until about 5pm PDT, so perhaps at 5:30?

From: Hebert, Annette@ARB
Sent: Monday, March 13, 2017 2:27 PM
To: Montague, R. Latane; Kamel, Alexandra@ARB; Peter, Ellen M. @ARB
Cc: Fuentes, Mark@ARB; Bunker, Byron; joerg.breuer@daimler.com
Subject: Re: Sprinter - Conference Call with CARB and EPA

Although booked up will make time.

Sent from my ARB iPhone

> On Mar 13, 2017, at 2:14 PM, Montague, R. Latane <latane.montague@hoganlovells.com> wrote:
>
> Annette,
> Would you have a few minutes this afternoon for a short follow-up call on what the implications of a conditional EO are? For example, if you have answers to any of the questions I raised today, that would be very helpful.
>
> For example, it would be good to understand whether a temporary failure to meet a condition (like submitting a required report) can be cured, or if it would result in a permanent revocation of the EO.
>
> Daimler make be making important decisions tomorrow on whether and how to proceed, and any additional feedback on what will be expected if we pursue the conditional EO would be very helpful to have before tomorrow.
>
> Let me know if you have some time for a short call?
>
> If Byron and/or Mark or Alex are interested and available for that call I could circulate a dial-in.
>
> Let me know when would be convenient.
>
> -----Original Message-----
> From: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]
> Sent: Friday, March 10, 2017 8:45 PM
> To: Bunker, Byron; joerg.breuer@daimler.com
> Cc: Fuentes, Mark@ARB; Ayala, Alberto@ARB; Montague, R. Latane; volker.mornhinweg@daimler.com
> Subject: RE: Sprinter - Conference Call with CARB and EPA
>
> Will be on.
>
> Annette Hebert, Chief
> Emissions Compliance, Automotive Regulations and Science (ECARS) Division California Air Resources Board
> (626)450-6150
> ahebert@arb.ca.gov

>
>
> -----Original Message-----
> From: Bunker, Byron [mailto:bunker.byron@epa.gov]
> Sent: Friday, March 10, 2017 5:10 PM
> To: joerg.breuer@daimler.com
> Cc: Fuentes, Mark@ARB; Hebert, Annette@ARB; Ayala, Alberto@ARB;
latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
> Subject: Re: Sprinter - Conference Call with CARB and EPA
>
> Thanks that will work for me. We will talk at 8.
>
> Thanks,
>
> Byron
>
> Sent from my iPhone
>
>> On Mar 10, 2017, at 8:08 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>>
>> Hello Byron,
>>
>> both times work for me - shall we say 8 AM PST then?
>>
>> Thanks, Joerg
>>
>> Herzlichen Gruß,
>> Jörg Breuer
>>
>>> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>>
>>> Hello Joerg,
>>>
>>> We would like to have a conference call yet today if possible or tomorrow to discuss what the
company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>>>
>>> I know it is very late in Germany, but if you are still available we will make time yet today to speak.
Just respond to this note and let us know the time.
>>>
>>> If you are reading this note on Saturday morning, please respond and let us know a time that can
work for you.
>>>
>>> Our preference on Saturday would be either 8AM PST or 10AM PST.
>>>
>>> We will use the following call-in information whenever the call can occur.
>>>
>>> Call-in Number.
>>> **Ex. 6 - Personal Privacy**
>>>
>>> From an International **Ex. 6 - Personal Privacy**
>>>
>>> Thanks,
>>>
>>> Byron
>>>

>>> *****

>>> Byron Bunker
>>> Director Compliance Division
>>> Office of Transportation and Air Quality Environmental Protection
>>> Agency
>>> 2000 Traverwood Drive
>>> Ann Arbor, MI 48105
>>> Bunker.Byron@epa.gov
>>> Phone: (734) 214-4155
>>> Mobile: (734) 353-9623
>>> *****

>>>

>>> -----Original Message-----
>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>> Sent: Friday, March 10, 2017 6:26 AM
>>> To: mfuentes@arb.ca.gov
>>> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov;
>>> aayala@arb.ca.gov; latane.montague@hoganlovells.com;
>>> volker.mornhinweg@daimler.com
>>> Subject: Re: Sprinter

>>>

>>> Dear Mark,

>>>

>>> thanks. We will discuss your recommendations internally and get back to you shortly.

>>>

>>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>>>

>>> I will try to call you later today.

>>>

>>> Regards, Joerg

>>>

>>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>>>

>>>> Dear Jorg,

>>>>

>>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>>>

>>>> Cell 626-634-9030
>>>> Ofc 626-575-6815

>>>>

>>>> -----Original Message-----
>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>>> Sent: Thursday, March 09, 2017 5:26 PM
>>>> To: bunker.byron@epa.gov
>>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB
>>>> Subject: Re: Sprinter

>>>>

>>>> Thank you so much, Byron. Looking forward to the recommendation!

>>>>

>>>> Regards, Joerg

>>>>

>>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>>>

>>>>> Hi Joerg,

>>>>>

>>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>>>>

>>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>>>

>>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>>>

>>>>> Best regards,

>>>>>

>>>>> Byron

>>>>>

>>>>> Sent from my iPhone

>>>>>

>>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>>>

>>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>>>

>>>>>> Annette Hebert, Chief

>>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>>>> Division California Air Resources Board

>>>>>> (626)450-6150

>>>>>> ahebert@arb.ca.gov

>>>>>>

>>>>>>

>>>>>> -----Original Message-----

>>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>>>> Sent: Thursday, March 09, 2017 9:58 AM

>>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>>>>> Subject: Sprinter

>>>>>>

>>>>>> Hello Annette and Byron,

>>>>>>

>>>>>> hope you have received the material you requested. As discussed it

>>>>>> would be great if you could provide feedback today so that I can

>>>>>> coordinate with Germany before our internal deadline. I will be

>>>>>> flying back to Europe this evening. Please feel free to give me a

>>>>>> call if you have any questions. Thanks, Joerg

>>>>>>

>>>>>> Herzlichen Gruß,

>>>>>> Jörg Breuer

>>>>>>

>>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>>

>>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>>

>>>>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>

>>>

>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>

>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>

>

> About Hogan Lovells

> Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

>

> CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed. It may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

>

To: Montague, R. Latane[latane.montague@hoganlovells.com]; Kamel, Alexandra@ARB[Alexandra.Kamel@arb.ca.gov]; Peter, Ellen M. @ARB[ellen.peter@arb.ca.gov]
Cc: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Hebert, Annette@ARB
Sent: Mon 3/13/2017 9:27:39 PM
Subject: Re: Sprinter - Conference Call with CARB and EPA

Although booked up will make time.

Sent from my ARB iPhone

> On Mar 13, 2017, at 2:14 PM, Montague, R. Latane <latane.montague@hoganlovells.com> wrote:
>
> Annette,
> Would you have a few minutes this afternoon for a short follow-up call on what the implications of a conditional EO are? For example, if you have answers to any of the questions I raised today, that would be very helpful.
>
> For example, it would be good to understand whether a temporary failure to meet a condition (like submitting a required report) can be cured, or if it would result in a permanent revocation of the EO.
>
> Daimler make be making important decisions tomorrow on whether and how to proceed, and any additional feedback on what will be expected if we pursue the conditional EO would be very helpful to have before tomorrow.
>
> Let me know if you have some time for a short call?
>
> If Byron and/or Mark or Alex are interested and available for that call I could circulate a dial-in.
>
> Let me know when would be convenient.
>
> -----Original Message-----
> From: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]
> Sent: Friday, March 10, 2017 8:45 PM
> To: Bunker, Byron; joerg.breuer@daimler.com
> Cc: Fuentes, Mark@ARB; Ayala, Alberto@ARB; Montague, R. Latane; volker.mornhinweg@daimler.com
> Subject: RE: Sprinter - Conference Call with CARB and EPA
>
> Will be on.
>
> Annette Hebert, Chief
> Emissions Compliance, Automotive Regulations and Science (ECARS) Division California Air Resources Board
> (626)450-6150
> ahebert@arb.ca.gov
>
>
> -----Original Message-----
> From: Bunker, Byron [mailto:bunker.byron@epa.gov]
> Sent: Friday, March 10, 2017 5:10 PM
> To: joerg.breuer@daimler.com
> Cc: Fuentes, Mark@ARB; Hebert, Annette@ARB; Ayala, Alberto@ARB; latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
> Subject: Re: Sprinter - Conference Call with CARB and EPA

>
> Thanks that will work for me. We will talk at 8.
>
> Thanks,
>
> Byron
>
> Sent from my iPhone
>
>> On Mar 10, 2017, at 8:08 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>>
>> Hello Byron,
>>
>> both times work for me - shall we say 8 AM PST then?
>>
>> Thanks, Joerg
>>
>> Herzlichen Gruß,
>> Jörg Breuer
>>
>>> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>>
>>> Hello Joerg,
>>>
>>> We would like to have a conference call yet today if possible or tomorrow to discuss what the
company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>>>
>>> I know it is very late in Germany, but if you are still available we will make time yet today to speak.
Just respond to this note and let us know the time.
>>>
>>> If you are reading this note on Saturday morning, please respond and let us know a time that can
work for you.
>>>
>>> Our preference on Saturday would be either 8AM PST or 10AM PST.
>>>
>>> We will use the following call-in information whenever the call can occur.
>>>
>>> ~~Call-In Number:~~
>>> **Ex. 6 - Personal Privacy**
>>>
>>> From an International Phone **Ex. 6 - Personal Privacy**
>>>
>>> Thanks,
>>>
>>> Byron
>>>
>>> *****
>>> Byron Bunker
>>> Director Compliance Division
>>> Office of Transportation and Air Quality Environmental Protection
>>> Agency
>>> 2000 Traverwood Drive
>>> Ann Arbor, MI 48105
>>> Bunker.Byron@epa.gov
>>> Phone: (734) 214-4155

>>> Mobile: (734) 353-9623
>>> *****
>>>
>>> -----Original Message-----
>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>> Sent: Friday, March 10, 2017 6:26 AM
>>> To: mfuentes@arb.ca.gov
>>> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov;
>>> aayala@arb.ca.gov; latane.montague@hoganlovells.com;
>>> volker.mornhinweg@daimler.com
>>> Subject: Re: Sprinter
>>>
>>> Dear Mark,
>>>
>>> thanks. We will discuss your recommendations internally and get back to you shortly.
>>>
>>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.
>>>
>>> I will try to call you later today.
>>>
>>> Regards, Joerg
>>>
>>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:
>>>>
>>>> Dear Jorg,
>>>>
>>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.
>>>>
>>>> Cell 626-634-9030
>>>> Ofc 626-575-6815
>>>>
>>>> -----Original Message-----
>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>>> Sent: Thursday, March 09, 2017 5:26 PM
>>>> To: bunker.byron@epa.gov
>>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB
>>>> Subject: Re: Sprinter
>>>>
>>>> Thank you so much, Byron. Looking forward to the recommendation!
>>>>
>>>> Regards, Joerg
>>>>
>>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>>>>
>>>>> Hi Joerg,
>>>>>
>>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.
>>>>>
>>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this

juncture I believe the schedule is achievable.

>>>>>

>>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>>>

>>>>> Best regards,

>>>>>

>>>>> Byron

>>>>>

>>>>> Sent from my iPhone

>>>>>

>>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>>>

>>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>>>

>>>>>> Annette Hebert, Chief

>>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>>>> Division California Air Resources Board

>>>>>> (626)450-6150

>>>>>> ahebert@arb.ca.gov

>>>>>>

>>>>>>

>>>>>> -----Original Message-----

>>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>>>> Sent: Thursday, March 09, 2017 9:58 AM

>>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>>>>> Subject: Sprinter

>>>>>>

>>>>>> Hello Annette and Byron,

>>>>>>

>>>>>> hope you have received the material you requested. As discussed it

>>>>>> would be great if you could provide feedback today so that I can

>>>>>> coordinate with Germany before our internal deadline. I will be

>>>>>> flying back to Europe this evening. Please feel free to give me a

>>>>>> call if you have any questions. Thanks, Joerg

>>>>>>

>>>>>> Herzlichen Gruß,

>>>>>> Jörg Breuer

>>>>>>

>>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>

>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>

>>>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>

>>>>>

>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>

>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>>

>>>>>

> About Hogan Lovells

> Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

>

> **CONFIDENTIALITY.** This email and any attachments are confidential, except where the email states it can be disclosed. It may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

>

To: Hebert, Annette@ARB[annette.hebert@arb.ca.gov]
Cc: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Montague, R. Latane
Sent: Mon 3/13/2017 9:14:49 PM
Subject: RE: Sprinter - Conference Call with CARB and EPA

Annette,

Would you have a few minutes this afternoon for a short follow-up call on what the implications of a conditional EO are? For example, if you have answers to any of the questions I raised today, that would be very helpful.

For example, it would be good to understand whether a temporary failure to meet a condition (like submitting a required report) can be cured, or if it would result in a permanent revocation of the EO.

Daimler make be making important decisions tomorrow on whether and how to proceed, and any additional feedback on what will be expected if we pursue the conditional EO would be very helpful to have before tomorrow.

Let me know if you have some time for a short call?

If Byron and/or Mark or Alex are interested and available for that call I could circulate a dial-in.

Let me know when would be convenient.

-----Original Message-----

From: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]
Sent: Friday, March 10, 2017 8:45 PM
To: Bunker, Byron; joerg.breuer@daimler.com
Cc: Fuentes, Mark@ARB; Ayala, Alberto@ARB; Montague, R. Latane; volker.mornhinweg@daimler.com
Subject: RE: Sprinter - Conference Call with CARB and EPA

Will be on.

Annette Hebert, Chief
Emissions Compliance, Automotive Regulations and Science (ECARS) Division California Air Resources Board
(626)450-6150
ahebert@arb.ca.gov

-----Original Message-----

From: Bunker, Byron [mailto:bunker.byron@epa.gov]
Sent: Friday, March 10, 2017 5:10 PM
To: joerg.breuer@daimler.com
Cc: Fuentes, Mark@ARB; Hebert, Annette@ARB; Ayala, Alberto@ARB; latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
Subject: Re: Sprinter - Conference Call with CARB and EPA

Thanks that will work for me. We will talk at 8.

Thanks,

Byron

Sent from my iPhone

> On Mar 10, 2017, at 8:08 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>
> Hello Byron,
>
> both times work for me - shall we say 8 AM PST then?
>
> Thanks, Joerg
>
> Herzlichen Gruß,
> Jörg Breuer
>
>> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>
>> Hello Joerg,
>>
>> We would like to have a conference call yet today if possible or tomorrow to discuss what the
company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>>
>> I know it is very late in Germany, but if you are still available we will make time yet today to speak.
Just respond to this note and let us know the time.
>>
>> If you are reading this note on Saturday morning, please respond and let us know a time that can work
for you.
>>
>> Our preference on Saturday would be either 8AM PST or 10AM PST.
>>
>> We will use the following call-in information whenever the call can occur.
>>
>> Call in Number
>> **Ex. 6 - Personal Privacy**
>>
>> From an International Phone **Ex. 6 - Personal Privacy** 0ve
>>
>> Thanks,
>>
>> Byron
>>
>> *****
>> Byron Bunker
>> Director Compliance Division
>> Office of Transportation and Air Quality Environmental Protection
>> Agency
>> 2000 Traverwood Drive
>> Ann Arbor, MI 48105
>> Bunker.Byron@epa.gov
>> Phone: (734) 214-4155
>> Mobile: (734) 353-9623
>> *****
>>
>> -----Original Message-----
>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>> Sent: Friday, March 10, 2017 6:26 AM
>> To: mfuentes@arb.ca.gov
>> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov;

>> aayala@arb.ca.gov; latane.montague@hoganlovells.com;
>> volker.mornhinweg@daimler.com
>> Subject: Re: Sprinter
>>
>> Dear Mark,
>>
>> thanks. We will discuss your recommendations internally and get back to you shortly.
>>
>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.
>>
>> I will try to call you later today.
>>
>> Regards, Joerg
>>
>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:
>>>
>>> Dear Jorg,
>>>
>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.
>>>
>>> Cell 626-634-9030
>>> Ofc 626-575-6815
>>>
>>> -----Original Message-----
>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>> Sent: Thursday, March 09, 2017 5:26 PM
>>> To: bunker.byron@epa.gov
>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB
>>> Subject: Re: Sprinter
>>>
>>> Thank you so much, Byron. Looking forward to the recommendation!
>>>
>>> Regards, Joerg
>>>
>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>>>
>>>> Hi Joerg,
>>>>
>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.
>>>>
>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.
>>>>
>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.
>>>>
>>>> Best regards,
>>>>
>>>> Byron

>>>>
>>>> Sent from my iPhone
>>>>
>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:
>>>>>
>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.
>>>>>
>>>>> Annette Hebert, Chief
>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)
>>>>> Division California Air Resources Board
>>>>> (626)450-6150
>>>>> ahebert@arb.ca.gov
>>>>>
>>>>>
>>>>> -----Original Message-----
>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>>>> Sent: Thursday, March 09, 2017 9:58 AM
>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB
>>>>> Subject: Sprinter
>>>>>
>>>>> Hello Annette and Byron,
>>>>>
>>>>> hope you have received the material you requested. As discussed it
>>>>> would be great if you could provide feedback today so that I can
>>>>> coordinate with Germany before our internal deadline. I will be
>>>>> flying back to Europe this evening. Please feel free to give me a
>>>>> call if you have any questions. Thanks, Joerg
>>>>>
>>>>> Herzlichen Gruß,
>>>>> Jörg Breuer
>>>>>
>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>>>
>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>>>
>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>
>>
>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>
> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed. It may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

From: Ng, John@ARB
Location: Location revised to Annex 1 Conference Room
Importance: Normal
Subject: Mercedes Sprinter Follow Up Meeting
Start Date/Time: Mon 3/13/2017 4:00:00 PM
End Date/Time: Mon 3/13/2017 7:00:00 PM

....
>>>>

MEETING ROOM has changed to **ANNEX 1**

MY17 Sprinter Discussion

Mon, Mar 13, 2017 9:00 AM - 12:00 PM PDT

Please join my meeting from your computer, tablet or smartphone.

Ex. 6 - Personal Privacy

You can also dial in using your phone.

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

First GoToMeeting? Try a test session: <http://help.citrix.com/getready>

To: Bunker, Byron[bunker.byron@epa.gov];
joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Ayala,
Alberto@ARB[Alberto.Ayala@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: Hebert, Annette@ARB
Sent: Sat 3/11/2017 1:45:16 AM
Subject: RE: Sprinter - Conference Call with CARB and EPA

Will be on.

Annette Hebert, Chief
Emissions Compliance, Automotive Regulations and Science (ECARS) Division
California Air Resources Board
(626)450-6150
ahebert@arb.ca.gov

-----Original Message-----

From: Bunker, Byron [mailto:bunker.byron@epa.gov]
Sent: Friday, March 10, 2017 5:10 PM
To: joerg.breuer@daimler.com
Cc: Fuentes, Mark@ARB; Hebert, Annette@ARB; Ayala, Alberto@ARB;
latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
Subject: Re: Sprinter - Conference Call with CARB and EPA

Thanks that will work for me. We will talk at 8.

Thanks,

Byron

Sent from my iPhone

> On Mar 10, 2017, at 8:08 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>
> Hello Byron,
>
> both times work for me - shall we say 8 AM PST then?
>
> Thanks, Joerg
>
> Herzlichen Gruß,
> Jörg Breuer
>
>> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>
>> Hello Joerg,
>>
>> We would like to have a conference call yet today if possible or tomorrow to discuss what the
company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>>
>> I know it is very late in Germany, but if you are still available we will make time yet today to speak.
Just respond to this note and let us know the time.
>>

>> If you are reading this note on Saturday morning, please respond and let us know a time that can work for you.

>>

>> Our preference on Saturday would be either 8AM PST or 10AM PST.

>>

>> We will use the following call-in information whenever the call can occur.

>>

>> Call-in Number:

>> **Ex. 6 - Personal Privacy**

>>

>> From an International Phone: **Ex. 6 - Personal Privacy**

>>

>> Thanks,

>>

>> Byron

>>

>> *****

>> Byron Bunker

>> Director Compliance Division

>> Office of Transportation and Air Quality Environmental Protection

>> Agency

>> 2000 Traverwood Drive

>> Ann Arbor, MI 48105

>> Bunker.Byron@epa.gov

>> Phone: (734) 214-4155

>> Mobile: (734) 353-9623

>> *****

>>

>> -----Original Message-----

>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>> Sent: Friday, March 10, 2017 6:26 AM

>> To: mfuentes@arb.ca.gov

>> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov;

>> aayala@arb.ca.gov; latane.montague@hoganlovells.com;

>> volker.mornhinweg@daimler.com

>> Subject: Re: Sprinter

>>

>> Dear Mark,

>>

>> thanks. We will discuss your recommendations internally and get back to you shortly.

>>

>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>>

>> I will try to call you later today.

>>

>> Regards, Joerg

>>

>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>>

>>> Dear Jorg,

>>>

>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter

Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>>

>>> Cell 626-634-9030

>>> Ofc 626-575-6815

>>>

>>> -----Original Message-----

>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>> Sent: Thursday, March 09, 2017 5:26 PM

>>> To: bunker.byron@epa.gov

>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

>>> Subject: Re: Sprinter

>>>

>>> Thank you so much, Byron. Looking forward to the recommendation!

>>>

>>> Regards, Joerg

>>>

>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>>

>>>> Hi Joerg,

>>>>

>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>>>

>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>>

>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>>

>>>> Best regards,

>>>>

>>>> Byron

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>>

>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>>

>>>>> Annette Hebert, Chief

>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>>> Division California Air Resources Board

>>>>> (626)450-6150

>>>>> ahebert@arb.ca.gov

>>>>>

>>>>>

>>>>> -----Original Message-----

>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>>> Sent: Thursday, March 09, 2017 9:58 AM

>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>>>> Subject: Sprinter

>>>>>

>>>>> Hello Annette and Byron,

>>>>>
>>>>> hope you have received the material you requested. As discussed it
>>>>> would be great if you could provide feedback today so that I can
>>>>> coordinate with Germany before our internal deadline. I will be
>>>>> flying back to Europe this evening. Please feel free to give me a
>>>>> call if you have any questions. Thanks, Joerg
>>>>>
>>>>> Herzlichen Gruß,
>>>>> Jörg Breuer
>>>>>
>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>>
>>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>>
>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>
>>
>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>
> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>

To: Bunker, Byron[bunker.byron@epa.gov]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]
Cc: joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Fuentes, Mark@ARB[rfuentes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]
From: Montague, R. Latane
Sent: Fri 2/17/2017 9:14:52 PM
Subject: MY2017 Sprinter Van cert. application

Byron and Annette,

Mercedes is planning to deliver the MY 2017 Sprinter Vans to EPA and CARB next week for

Ex. 4 - CBI

 will also be submitted the AECD descriptions.

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document we would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells Columbia Square 555 Thirteenth Street, NW Washington, DC 20004	
Direct:	+1 202 637 6567
Fax:	+1 202 637 5910
Email:	latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

To: Bunker, Byron[bunker.byron@epa.gov]
Cc: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; aayala@arb.ca.gov[aayala@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: joerg.breuer@daimler.com
Sent: Sat 3/11/2017 1:08:35 AM
Subject: Re: Sprinter - Conference Call with CARB and EPA

Hello Byron,

both times work for me - shall we say 8 AM PST then?

Thanks, Joerg

Herzlichen Gruß,
Jörg Breuer

> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>
> Hello Joerg,
>
> We would like to have a conference call yet today if possible or tomorrow to discuss what the company
is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>
> I know it is very late in Germany, but if you are still available we will make time yet today to speak. Just
respond to this note and let us know the time.
>
> If you are reading this note on Saturday morning, please respond and let us know a time that can work
for you.
>
> Our preference on Saturday would be either 8AM PST or 10AM PST.
>
> We will use the following call-in information whenever the call can occur.
>
> Call-in Number.
> **Ex. 6 - Personal Privacy**
>
> From an International Phone **Ex. 6 - Personal Privacy**
> Code same as above
>
> Thanks,
>
> Byron
>
> *****
> Byron Bunker
> Director Compliance Division
> Office of Transportation and Air Quality
> Environmental Protection Agency
> 2000 Traverwood Drive
> Ann Arbor, MI 48105
> Bunker.Byron@epa.gov
> Phone: (734) 214-4155
> Mobile: (734) 353-9623

> *****

>

> -----Original Message-----

> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

> Sent: Friday, March 10, 2017 6:26 AM

> To: mfuentes@arb.ca.gov

> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov; aayala@arb.ca.gov; latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com

> Subject: Re: Sprinter

>

> Dear Mark,

>

> thanks. We will discuss your recommendations internally and get back to you shortly.

>

> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>

> I will try to call you later today.

>

> Regards, Joerg

>

>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>

>> Dear Jorg,

>>

>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>

>> Cell 626-634-9030

>> Ofc 626-575-6815

>>

>> -----Original Message-----

>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>> Sent: Thursday, March 09, 2017 5:26 PM

>> To: bunker.byron@epa.gov

>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

>> Subject: Re: Sprinter

>>

>> Thank you so much, Byron. Looking forward to the recommendation!

>>

>> Regards, Joerg

>>

>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>

>>> Hi Joerg,

>>>

>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>>

>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>

>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>

>>> Best regards,

>>>

>>> Byron

>>>

>>> Sent from my iPhone

>>>

>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>

>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>

>>>> Annette Hebert, Chief

>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>> Division California Air Resources Board

>>>> (626)450-6150

>>>> ahebert@arb.ca.gov

>>>>

>>>>

>>>> -----Original Message-----

>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>>> Sent: Thursday, March 09, 2017 9:58 AM

>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB

>>>> Subject: Sprinter

>>>>

>>>> Hello Annette and Byron,

>>>>

>>>> hope you have received the material you requested. As discussed it

>>>> would be great if you could provide feedback today so that I can

>>>> coordinate with Germany before our internal deadline. I will be

>>>> flying back to Europe this evening. Please feel free to give me a

>>>> call if you have any questions. Thanks, Joerg

>>>>

>>>> Herzlichen Gruß,

>>>> Jörg Breuer

>>>>

>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>>>

>>

>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>>

>> <03092017 Response to Jorg Breuer Certification Proposal.docx>

>

> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Bunker, Byron[bunker.byron@epa.gov]
From: joerg.breuer@daimler.com
Sent: Fri 3/10/2017 5:45:27 PM
Subject: Re: Sprinter

I am still traveling...

Herzlichen Gruß,
Jörg Breuer

> Am 10.03.2017 um 18:26 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>
> I just checked with Annette. Let's use a call-in number and start in 4 minutes (9:30 AM PST).

> Call-in Number

> **Ex. 6 - Personal Privacy**

> From an International **Ex. 6 - Personal Privacy**

> Same code

>
> Thanks,

> Byron

>
> *****
> Byron Bunker
> Director Compliance Division
> Office of Transportation and Air Quality
> Environmental Protection Agency
> 2000 Traverwood Drive
> Ann Arbor, MI 48105
> Bunker.Byron@epa.gov
> Phone: (734) 214-4155
> Mobile: (734) 353-9623
> *****

> -----Original Message-----

> From: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]
> Sent: Friday, March 10, 2017 12:23 PM
> To: joerg.breuer@daimler.com
> Cc: Fuentes, Mark@ARB <mfuentes@arb.ca.gov>; Bunker, Byron <bunker.byron@epa.gov>; Ayala, Alberto@ARB <Alberto.Ayala@arb.ca.gov>; latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
> Subject: Re: Sprinter

> Trying to call you now having trouble locating your number at the moment

> Sent from my ARB iPhone

>> On Mar 10, 2017, at 3:26 AM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:

>> Dear Mark,

>> thanks. We will discuss your recommendations internally and get back to you shortly.

>>

>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>>

>> I will try to call you later today.

>>

>> Regards, Joerg

>>

>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>>

>>> Dear Jorg,

>>>

>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>>

>>> Cell 626-634-9030

>>> Ofc 626-575-6815

>>>

>>> -----Original Message-----

>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>>> Sent: Thursday, March 09, 2017 5:26 PM

>>> To: bunker.byron@epa.gov

>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

>>> Subject: Re: Sprinter

>>>

>>> Thank you so much, Byron. Looking forward to the recommendation!

>>>

>>> Regards, Joerg

>>>

>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>>

>>>> Hi Joerg,

>>>>

>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>>>

>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>>

>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>>

>>>> Best regards,

>>>>

>>>> Byron

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>>

>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>>

>>>>> Annette Hebert, Chief
>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)
>>>>> Division California Air Resources Board
>>>>> (626)450-6150
>>>>> ahebert@arb.ca.gov
>>>>>
>>>>>

>>>>> -----Original Message-----

>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>>>> Sent: Thursday, March 09, 2017 9:58 AM
>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB
>>>>> Subject: Sprinter
>>>>>

>>>>> Hello Annette and Byron,
>>>>>

>>>>> hope you have received the material you requested. As discussed it
>>>>> would be great if you could provide feedback today so that I can
>>>>> coordinate with Germany before our internal deadline. I will be
>>>>> flying back to Europe this evening. Please feel free to give me a
>>>>> call if you have any questions. Thanks, Joerg
>>>>>

>>>>> Herzlichen Gruß,

>>>>> Jörg Breuer
>>>>>

>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>>>>

>>>

>>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>>

>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>
>>>

>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; Bunker, Byron[bunker.byron@epa.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
juergen.gleichauf@daimler.com[juergen.gleichauf@daimler.com];
felix.wellmann@daimler.com[felix.wellmann@daimler.com];
joanne.rotondi@hoganlovells.com[joanne.rotondi@hoganlovells.com]
From: joerg.breuer@daimler.com
Sent: Fri 4/28/2017 7:45:34 PM
Subject: MY17 Sprinter

Ex. 4 - CBI

Dear Annette,

here is our request for Conditional EO for the MY 17 Sprinter.

Please contact me directly if you have any question.

Thanks for your support, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Bunker, Byron
Sent: Mon 4/24/2017 9:15:56 PM
Subject: RE: Sprinter

Hi Joerg,

I am available in my office now (734) 214-4155 if you have time. Or, I can be available this evening on my cell phone (734) 353-9623.

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

-----Original Message-----

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Monday, April 24, 2017 4:58 PM
To: Bunker, Byron <bunker.byron@epa.gov>
Subject: Sprinter

Dear Byron,

thanks for your time today. Can we talk briefly today or tomorrow? (I canceled my trip to China in order to work on resolving the remaining issues with the Sprinter certification)

Thanks, Joerg

Herzlichen Gruß,
Jörg Breuer

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Wehrly,
Linc[wehrly.linc@epa.gov]; Cullen, Daniel[cullen.daniel@epa.gov]
From: Bunker, Byron
Sent: Mon 4/24/2017 4:10:32 PM
Subject: RE: Status Sprinter Certification - Call today?

We can make 12:30 PDT (3:30EDT) work for us.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Monday, April 24, 2017 12:01 PM
To: mfuentes@arb.ca.gov; Bunker, Byron <bunker.byron@epa.gov>;
annette.hebert@arb.ca.gov

Cc: latane.montague@hoganlovells.com; Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel <Cullen.Daniel@epa.gov>

Subject: AW: Status Sprinter Certification - Call today?

Thanks, 12:30 PT (or later) would work for me – Byron: how about EPA?

Viele Grüße,

Dr. Jörg Breuer

Von: Fuentes, Mark@ARB [<mailto:mfuentes@arb.ca.gov>]

Gesendet: Montag, 24. April 2017 17:56

An: Bunker, Byron <bunker.byron@epa.gov>; Breuer, Joerg (059) <joerg.breuer@daimler.com>; Hebert, Annette@ARB <annette.hebert@arb.ca.gov>

Cc: latane.montague@hoganlovells.com; Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel <Cullen.Daniel@epa.gov>

Betreff: RE: Status Sprinter Certification - Call today?

Joerg,

12:30 PT is the earliest time I can participate on a call. If that time works please go ahead and send in a call in number and we'll talk then. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]
Sent: Monday, April 24, 2017 5:18 AM
To: joerg.breuer@daimler.com; Hebert, Annette@ARB
Cc: latane.montague@hoganlovells.com; Fuentes, Mark@ARB; Wehrly, Linc; Cullen, Daniel
Subject: RE: Status Sprinter Certification - Call today?

Hi Joerg,

I have copied Mark Fuentes on this note knowing that Annette is traveling today. I should be able to work around Annette's calendar if in fact she has time in her day.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]
Sent: Monday, April 24, 2017 3:28 AM
To: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov
Cc: latane.montague@hoganlovells.com
Subject: Status Sprinter Certification - Call today?
Importance: High

Dear Annette,

Dear Byron,

do you think we could get feedback from both agencies today? Maybe we can schedule a call - am available all day/night.

Will be travelling to China tomorrow, so the next possible time after today would be upon arrival in Beijing tomorrow night (5 pm Pacific/8 pm Eastern) or Wednesday.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG

059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart

HRB-Nr./Commercial Register No. 19360

Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff

Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger,
Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake,
and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Fuentes,
Mark@ARB[mfuentes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Cullen,
Daniel[cullen.daniel@epa.gov]
From: Bunker, Byron
Sent: Mon 4/24/2017 12:17:51 PM
Subject: RE: Status Sprinter Certification - Call today?

Hi Joerg,

I have copied Mark Fuentes on this note knowing that Annette is traveling today. I should be able to work around Annette's calendar if in fact she has time in her day.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Monday, April 24, 2017 3:28 AM
To: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov
Cc: latane.montague@hoganlovells.com
Subject: Status Sprinter Certification - Call today?
Importance: High

Dear Annette,

Dear Byron,

do you think we could get feedback from both agencies today? Maybe we can schedule a call - am available all day/night.

Will be travelling to China tomorrow, so the next possible time after today would be upon arrival in Beijing tomorrow night (5 pm Pacific/8 pm Eastern) or Wednesday.

Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Renata Jungo Brüngger, Martin Daum, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov];
tillmann.braun@daimler.com[tillmann.braun@daimler.com];
ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]; Cullen,
Daniel[cullen.daniel@epa.gov]
From: Bunker, Byron
Sent: Wed 2/22/2017 1:12:56 PM
Subject: RE: MY2017 Sprinter Van cert. application

Sorry. I see now that Mark Fuentes already sent a conference line yesterday. Let's use that instead.

Please disregard my note below and use the following conference information from CARB.

Conference Line

Conference Code

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: Bunker, Byron

Sent: Wednesday, February 22, 2017 8:11 AM

To: 'joerg.breuer@daimler.com' <joerg.breuer@daimler.com>; mfuentes@arb.ca.gov

Cc: latane.montague@hoganlovells.com; annette.hebert@arb.ca.gov; Wehrly, Linc <wehrly.linc@epa.gov>; tillmann.braun@daimler.com; ashim.manchanda@daimler.com; Cullen, Daniel <cullen.daniel@epa.gov>

Subject: RE: MY2017 Sprinter Van cert. application

We can use my call-in information.

CARB/EPA/Mercedes Conference Call 2017 Sprinter Certification

22 February 2017

1 PM PST, 4PM EST, 10 PM CET

Conference Line (within US)

Ex. 6 - Personal Privacy

Conference Line (outside US)

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Wednesday, February 22, 2017 2:18 AM

To: mfuentes@arb.ca.gov

Cc: latane.montague@hoganlovells.com; Bunker, Byron <bunker.byron@epa.gov>;
annette.hebert@arb.ca.gov; Wehrly, Linc <wehrly.linc@epa.gov>;
tillmann.braun@daimler.com; ashim.manchanda@daimler.com

Subject: Re: MY2017 Sprinter Van cert. application

Mark,

thanks for offering a time slot, we will be available to discuss next steps today. Can you provide call-in information or do you want us to set something up?

Herzlichen Gruß,

Jörg Breuer

Am 21.02.2017 um 21:57 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Latane,

Thanks for the update. We discussed this with EPA this morning and would like to propose 1-2 pm pacific tomorrow 2/22/17 to hear the rest of your update. Will you be emailing the AECD descriptions today? Thanks

Mark

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]

Sent: Friday, February 17, 2017 1:15 PM

To: Bunker, Byron; Hebert, Annette@ARB

Cc: joerg.breuer@daimler.com; Fuentes, Mark@ARB; Wehrly, Linc

Subject: MY2017 Sprinter Van cert. application

Byron and Annette,

Mercedes is planning to deliver the MY 2017 Sprinter Vans to EPA and CARB next week
Ex. 4 - CBI will also be submitted the
AECD descriptions.

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document will would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague
Partner

Hogan Lovells
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

Direct: +1 202 637 6567
Fax: +1 202 637 5910
Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov];
tillmann.braun@daimler.com[tillmann.braun@daimler.com];
ashim.manchanda@daimler.com[ashim.manchanda@daimler.com]; Cullen,
Daniel[cullen.daniel@epa.gov]
From: Bunker, Byron
Sent: Wed 2/22/2017 1:11:01 PM
Subject: RE: MY2017 Sprinter Van cert. application

We can use my call-in information.

CARB/EPA/Mercedes Conference Call 2017 Sprinter Certification

22 February 2017

1 PM PST, 4PM EST, 10 PM CET

Conference Line (within US)

Ex. 6 - Personal Privacy

Conference Line (outside US)

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Wednesday, February 22, 2017 2:18 AM

To: mfuentes@arb.ca.gov

Cc: latane.montague@hoganlovells.com; Bunker, Byron <bunker.byron@epa.gov>;
annette.hebert@arb.ca.gov; Wehrly, Linc <wehrly.linc@epa.gov>;
tillmann.braun@daimler.com; ashim.manchanda@daimler.com

Subject: Re: MY2017 Sprinter Van cert. application

Mark,

thanks for offering a time slot, we will be available to discuss next steps today. Can you provide call-in information or do you want us to set something up?

Herzlichen Gruß,

Jörg Breuer

Am 21.02.2017 um 21:57 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Latane,

Thanks for the update. We discussed this with EPA this morning and would like to propose 1-2 pm pacific tomorrow 2/22/17 to hear the rest of your update. Will you be emailing the AECD descriptions today? Thanks

Mark

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov

<image001.png>

From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]
Sent: Friday, February 17, 2017 1:15 PM
To: Bunker, Byron; Hebert, Annette@ARB
Cc: joerg.breuer@daimler.com; Fuentes, Mark@ARB; Wehrly, Linc
Subject: MY2017 Sprinter Van cert. application

Byron and Annette,

Mercedes is planning to deliver the MY 2017 Sprinter Vans to EPA and CARB next week

Ex. 4 - CBI

 and will also be submitted the
AECD descriptions.

We would like to schedule another call with your management teams next week to discuss the open items from our last call (including: our off-cycle test results for the revised

software, the additional improvements that have been made to the back-stop counter, and the proposed IRAF).

We should be able to cover these topics in an hour's call.

Please let us know what time will work for your teams during the week of February 20, and we will set up a conference call number that works with your schedules.

Once your teams have had a chance to review the AECD document we would like to schedule a second meeting or call to walk through that document and answer any questions, we would like to set up that meeting for the week beginning February 27.

Best Regards,

Latane

R. Latane Montague

Partner

Hogan Lovells
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
Direct: +1 202 637 6567
Fax: +1 202 637 5910
Email: latane.montague@hoganlovells.com

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Wehrly, Linc[wehrly.linc@epa.gov]
From: Bunker, Byron
Sent: Mon 2/13/2017 9:27:08 PM
Subject: RE: Sprinter MY17: Update

Dear Joerg,

Thanks for the update. We will look forward to receiving the vehicles and to having a call to walk through the topics you identified.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, February 10, 2017 10:59 AM
To: Bunker, Byron <bunker.byron@epa.gov>
Cc: latane.montague@hoganlovells.com
Subject: Sprinter MY17: Update

Dear Byron,

just wanted to let you know that we are planning to deliver the vehicles to you and ARB next week. We should also be ready for a call to discuss the (slightly revised) timeline, the OBD improvements and the IRAF proposal.

Latane will coordinate on our end. Please feel free to call me anytime if you have any questions.
Thanks, Joerg

Mit freundlichen Grüßen/ Kind regards

Dr. Jörg Breuer

Director Certification, Regulatory Affairs & Environment
Mercedes-Benz Cars, Daimler AG
059/H104 - RD/FZ
D-71032 Böblingen

+49 7031 - 90 82944
+49 160 8654546

Daimler AG
Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brünnger, Ola Källenius, Wilfried Porth, Britta Seeger, Hubertus Troska, Bodo Uebber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

From: Bunker, Byron
Location: AA-Room-Office-N120-VideoRoom/AA-OTAQ-OFFICE
Importance: High
Subject: Canceled: Mercedes Sprinter Certification - OBD Call
Start Date/Time: Fri 1/27/2017 6:00:00 PM
End Date/Time: Fri 1/27/2017 8:00:00 PM

Mercedes has provided the following note to let us know that today's call will be canceled for today and rescheduled to a later date. The note is copied just below.

I apologize for the late notice, but we want to postpone the call originally scheduled for today so that we can further develop and explore engineering responses to the questions that were raised by CARB and EPA on our last call regarding both:

Ex. 4 - CBI

Ex. 4 - CBI

Because this effort may result in additional changes to software and calibrations, we will not be submitting our AECD description today as originally planned. Instead, we want to submit the AECD document at the same time or shortly after we complete any software revisions and data freeze for this vehicle. We will provide an update on the timing for the initial data freeze and AECD description submission on our next call with this group.

To: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Montague, R. Latane[latane.montague@hoganlovells.com]; joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Hebert, Annette@ARB[annette.hebert@arb.ca.gov]; Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes, Thomas@ARB[thomas.montes@arb.ca.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Cullen, Daniel[cullen.daniel@epa.gov]; Wright, DavidA[Wright.DavidA@epa.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov]; Sardar, Satya@ARB[satya.sardar@arb.ca.gov]; Lemieux, Sharon@ARB[sharon.lemieux@arb.ca.gov]; Valencia, Thomas@ARB[tvalenci@arb.ca.gov]; Kiyota, Diane@ARB[diane.kiyota@arb.ca.gov]; Ho, Peter@ARB[peter.ho@arb.ca.gov]
From: Bunker, Byron
Sent: Fri 1/27/2017 5:19:06 PM
Subject: RE: Mercedes Sprinter Certification - OBD Call

Hi Latane,

Thanks for the note. We appreciate you respecting everyone's time and not holding the meeting if additional work would make it more effective. We will be glad to coordinate with the CARB team once you suggest additional dates as requested in Mark's note.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: Fuentes, Mark@ARB [mailto:mfuentes@arb.ca.gov]
Sent: Friday, January 27, 2017 12:12 PM
To: Montague, R. Latane <latane.montague@hoganlovells.com>; Bunker, Byron <bunker.byron@epa.gov>; joerg.breuer@daimler.com; Hebert, Annette@ARB <annette.hebert@arb.ca.gov>; Regenfuss, Mike@ARB <michael.regenfuss@arb.ca.gov>; Montes, Thomas@ARB <thomas.montes@arb.ca.gov>; Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel <Cullen.Daniel@epa.gov>; Wright, DavidA <Wright.DavidA@epa.gov>; Lourenco, Jackie@ARB <Jackie.Lourenco@arb.ca.gov>; Sardar, Satya@ARB <satya.sardar@arb.ca.gov>; Lemieux, Sharon@ARB <sharon.lemieux@arb.ca.gov>; Valencia, Thomas@ARB <tvalenci@arb.ca.gov>; Kiyota, Diane@ARB <diane.kiyota@arb.ca.gov>; Ho, Peter@ARB <peter.ho@arb.ca.gov>
Subject: RE: Mercedes Sprinter Certification - OBD Call

Latane,

Thanks for the notice. Please provide some tentative days for the reschedule as our calendars fill up fast. Thanks

Mark Fuentes

Assistant Division Chief

Emissions Compliance, Automotive Regulations & Science Division

626.575.6815 (direct) 626.634.9030 (cellular) mfuentes@arb.ca.gov



From: Montague, R. Latane [<mailto:latane.montague@hoganlovells.com>]

Sent: Friday, January 27, 2017 9:02 AM

To: 'Bunker, Byron'; joerg.breuer@daimler.com; Hebert, Annette@ARB; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; Lemieux, Sharon@ARB; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB

Subject: RE: Mercedes Sprinter Certification - OBD Call

I apologize for the late notice, but we want to postpone the call originally scheduled for today so that we can further develop and explore engineering responses to the questions that were raised by CARB and EPA on our last call regarding both:

Ex. 4 - CBI

Ex. 4 - CBI

Because this effort may result in additional changes to software and calibrations, we will not be submitting our AECD description today as originally planned. Instead, we want to submit the AECD document at the same time or shortly after we complete any software revisions and data freeze for this vehicle. We will provide an update on the timing for the initial data freeze and AECD description submission on our next call with this group.

-----Original Appointment-----

From: Bunker, Byron [<mailto:bunker.byron@epa.gov>]

Sent: Wednesday, January 25, 2017 11:11 AM

To: Bunker, Byron; joerg.breuer@daimler.com; Montague, R. Latane; annette.hebert@arb.ca.gov; Fuentes, Mark@ARB; Regenfuss, Mike@ARB; Montes, Thomas@ARB; Wehrly, Linc; Cullen, Daniel; Wright, DavidA; Lourenco, Jackie@ARB; Sardar, Satya@ARB; sharon.lemieux@arb.ca.gov; Valencia, Thomas@ARB; Kiyota, Diane@ARB; Ho, Peter@ARB

Subject: Mercedes Sprinter Certification - OBD Call

When: Friday, January 27, 2017 1:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Conference Call

This conference call is to continue discussion of the open OBD issues for the 2017 Sprinter certification.

Conference Line International

Ex. 6 - Personal Privacy

US Toll Free Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Mark – can you please forward to the appropriate ARB staff? I am not sure that I have included all of the right team members.

Thanks,

Byron

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

From: Bunker, Byron
Location: Conference Call
Importance: Normal
Subject: Mercedes Sprinter Certification - OBD Call
Start Date/Time: Fri 1/27/2017 6:00:00 PM
End Date/Time: Fri 1/27/2017 8:00:00 PM

This conference call is to continue discussion of the open OBD issues for the 2017 Sprinter certification.

Conference Line International

Ex. 6 - Personal Privacy

US Toll Free

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Mark – can you please forward to the appropriate ARB staff? I am not sure that I have included all of the right team members.

Thanks,

Byron

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com]; Wehrly,
Linc[wehrly.linc@epa.gov]; annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
sharon.lemieux@arb.ca.gov[sharon.lemieux@arb.ca.gov];
satya.sardar@arb.ca.gov[satya.sardar@arb.ca.gov]; Kiyota, Diane@ARB[diane.kiyota@arb.ca.gov];
Regenfuss, Mike@ARB[michael.regenfuss@arb.ca.gov]; Montes,
Thomas@ARB[thomas.montes@arb.ca.gov]; Lourenco, Jackie@ARB[Jackie.Lourenco@arb.ca.gov];
Sardar, Satya@ARB[satya.sardar@arb.ca.gov]
From: Bunker, Byron
Sent: Fri 1/20/2017 5:52:39 PM
Subject: RE: Conference Call "Mercedes Sprinter 17 Certification Update"

Dear Joerg,

I apologize for not noticing sooner, but I am not sure that all participants can dial an international phone line from their work locations. Given that, let's use my call-in number rather than the one you provided.

Conference Line (for international callers) Ex. 6 - Personal Privacy

US Domestic Toll Free Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

-----Original Appointment-----

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

Sent: Friday, January 20, 2017 2:02 AM

To: joerg.breuer@daimler.com; Bunker, Byron; mfuentes@arb.ca.gov;
latane.montague@hoganlovells.com; Wehrly, Linc; annette.hebert@arb.ca.gov;
sharon.lemieux@arb.ca.gov; satya.sardar@arb.ca.gov

Subject: Conference Call "Mercedes Sprinter 17 Certification Update"

When: Friday, January 20, 2017 7:00 PM-7:30 PM (UTC+01:00) Amsterdam, Berlin, Bern,
Rome, Stockholm, Vienna

Where: Dial-in number:

Ex. 6 - Personal Privacy

10.00 PDT/1.00 EST

Call-In: **Ex. 6 - Personal Privacy**

Ex. 6 - Personal Privacy

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

From: Bunker, Byron
Importance: Normal
Subject: Meeting Forward Notification: Conference Call "Mercedes Sprinter 17 Certification Update"
Start Date/Time: Fri 1/20/2017 1:00:00 PM
End Date/Time: Fri 1/20/2017 1:30:00 PM

Your meeting was forwarded

Bunker, Byron has forwarded your meeting request to additional people.

Meeting

Conference Call "Mercedes Sprinter 17 Certification Update"

Meeting Time

Friday, January 20, 2017 1:00 PM - Friday, January 20, 2017 1:30 PM

Recipients

Cullen, Daniel,Wright, DavidA

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US & Canada)

From: Bunker, Byron
Location: Dial-in number: +49 711 2184935# Entry code Participants: 947646 #
Importance: Normal
Subject: FW: Conference Call "Mercedes Sprinter 17 Certification Update"
Start Date/Time: Fri 1/20/2017 6:00:00 PM
End Date/Time: Fri 1/20/2017 6:30:00 PM

Hi Dan & David,

Please join Linc and me for this call if you can. We will do it in my office.

Thanks,

Byron

-----Original Appointment-----

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, January 20, 2017 2:02 AM
To: joerg.breuer@daimler.com; Bunker, Byron; mfuentes@arb.ca.gov; latane.montague@hoganlovells.com; Wehrly, Linc; annette.hebert@arb.ca.gov; sharon.lemieux@arb.ca.gov; satya.sardar@arb.ca.gov
Subject: Conference Call "Mercedes Sprinter 17 Certification Update"
When: Friday, January 20, 2017 7:00 PM-7:30 PM (UTC+01:00) Amsterdam, Berlin, Bern, Rome, Stockholm, Vienna
Where: Dial-in number: Ex. 6 - Personal Privacy

10.00 PDT/1.00 EST

Call-In: + Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

From: Bunker, Byron

Location: Dial-in number: Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Importance: Normal

Subject: Accepted: Conference Call "Mercedes Sprinter 17 Certification Update"

Start Date/Time: Fri 1/20/2017 6:00:00 PM

End Date/Time: Fri 1/20/2017 6:30:00 PM

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: mfuentes@arb.ca.gov[mfuentes@arb.ca.gov];
annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov]; aayala@arb.ca.gov[aayala@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: Bunker, Byron
Sent: Sat 3/11/2017 1:10:02 AM
Subject: Re: Sprinter - Conference Call with CARB and EPA

Thanks that will work for me. We will talk at 8.

Thanks,

Byron

Sent from my iPhone

> On Mar 10, 2017, at 8:08 PM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>
> Hello Byron,
>
> both times work for me - shall we say 8 AM PST then?
>
> Thanks, Joerg
>
> Herzlichen Gruß,
> Jörg Breuer
>
>> Am 10.03.2017 um 23:48 schrieb Bunker, Byron <bunker.byron@epa.gov>:
>>
>> Hello Joerg,
>>
>> We would like to have a conference call yet today if possible or tomorrow to discuss what the
company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.
>>
>> I know it is very late in Germany, but if you are still available we will make time yet today to speak.
Just respond to this note and let us know the time.
>>
>> If you are reading this note on Saturday morning, please respond and let us know a time that can work
for you.
>>
>> Our preference on Saturday would be either 8AM PST or 10AM PST.
>>
>> We will use the following call-in information whenever the call can occur.
>>
>> Call-in Number.
>> From a US Phone Ex. 6 - Personal Privacy
>> Ex. 6 - Personal Privacy
>>
>> From an International Phone Ex. 6 - Personal Privacy
>> Code same as above
>>
>> Thanks,
>>
>> Byron
>>

>> *****

>> Byron Bunker
>> Director Compliance Division
>> Office of Transportation and Air Quality
>> Environmental Protection Agency
>> 2000 Traverwood Drive
>> Ann Arbor, MI 48105
>> Bunker.Byron@epa.gov
>> Phone: (734) 214-4155
>> Mobile: (734) 353-9623
>> *****

>>

>> -----Original Message-----

>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>> Sent: Friday, March 10, 2017 6:26 AM
>> To: mfuentes@arb.ca.gov
>> Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov; aayala@arb.ca.gov; latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
>> Subject: Re: Sprinter

>>

>> Dear Mark,

>>

>> thanks. We will discuss your recommendations internally and get back to you shortly.

>>

>> What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>>

>> I will try to call you later today.

>>

>> Regards, Joerg

>>

>>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>>

>>> Dear Jorg,

>>>

>>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>>

>>> Cell 626-634-9030
>>> Ofc 626-575-6815
>>>

>>> -----Original Message-----

>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>> Sent: Thursday, March 09, 2017 5:26 PM
>>> To: bunker.byron@epa.gov
>>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB
>>> Subject: Re: Sprinter

>>>

>>> Thank you so much, Byron. Looking forward to the recommendation!

>>>

>>> Regards, Joerg

>>>

>>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>>

>>>> Hi Joerg,
>>>>
>>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.
>>>>
>>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.
>>>>
>>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.
>>>>
>>>> Best regards,
>>>>
>>>> Byron
>>>>
>>>> Sent from my iPhone
>>>>
>>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:
>>>>>
>>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.
>>>>>
>>>>> Annette Hebert, Chief
>>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)
>>>>> Division California Air Resources Board
>>>>> (626)450-6150
>>>>> ahebert@arb.ca.gov
>>>>>
>>>>>
>>>>> -----Original Message-----
>>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>>>> Sent: Thursday, March 09, 2017 9:58 AM
>>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB
>>>>> Subject: Sprinter
>>>>>
>>>>> Hello Annette and Byron,
>>>>>
>>>>> hope you have received the material you requested. As discussed it
>>>>> would be great if you could provide feedback today so that I can
>>>>> coordinate with Germany before our internal deadline. I will be
>>>>> flying back to Europe this evening. Please feel free to give me a
>>>>> call if you have any questions. Thanks, Joerg
>>>>>
>>>>> Herzlichen Gruß,
>>>>> Jörg Breuer
>>>>>
>>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>>>>
>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>>>>
>>>> <03092017 Response to Jorg Breuer Certification Proposal.docx>
>>>>

>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>

> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

>

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com];
mfuentes@arb.ca.gov[mfuentes@arb.ca.gov]
Cc: annette.hebert@arb.ca.gov[annette.hebert@arb.ca.gov];
aayala@arb.ca.gov[aayala@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: Bunker, Byron
Sent: Fri 3/10/2017 10:48:18 PM
Subject: RE: Sprinter - Conference Call with CARB and EPA

Hello Joerg,

We would like to have a conference call yet today if possible or tomorrow to discuss what the company is able to accomplish regarding the note Mr. Fuentes sent on Thursday.

I know it is very late in Germany, but if you are still available we will make time yet today to speak. Just respond to this note and let us know the time.

If you are reading this note on Saturday morning, please respond and let us know a time that can work for you.

Our preference on Saturday would be either 8AM PST or 10AM PST.

We will use the following call-in information whenever the call can occur.

Call-in Number.

From a US Phone Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

From an International Phone Ex. 6 - Personal Privacy
Code same as above

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

-----Original Message-----

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, March 10, 2017 6:26 AM
To: mfuentes@arb.ca.gov
Cc: Bunker, Byron <bunker.byron@epa.gov>; annette.hebert@arb.ca.gov; aayala@arb.ca.gov;
latane.montague@hoganlovells.com; volker.mornhinweg@daimler.com
Subject: Re: Sprinter

Dear Mark,

thanks. We will discuss your recommendations internally and get back to you shortly.

What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

I will try to call you later today.

Regards, Joerg

> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>

> Dear Jorg,

>

> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>

> Cell 626-634-9030

> Ofc 626-575-6815

>

> -----Original Message-----

> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

> Sent: Thursday, March 09, 2017 5:26 PM

> To: bunker.byron@epa.gov

> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

> Subject: Re: Sprinter

>

> Thank you so much, Byron. Looking forward to the recommendation!

>

> Regards, Joerg

>

>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>

>> Hi Joerg,

>>

>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>

>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>

>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>

>> Best regards,

>>

>> Byron

>>

>> Sent from my iPhone

>>

>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>
>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.
>>>
>>> Annette Hebert, Chief
>>> Emissions Compliance, Automotive Regulations and Science (ECARS)
>>> Division California Air Resources Board
>>> (626)450-6150
>>> ahebert@arb.ca.gov
>>>
>>>
>>> -----Original Message-----
>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>> Sent: Thursday, March 09, 2017 9:58 AM
>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB
>>> Subject: Sprinter
>>>
>>> Hello Annette and Byron,
>>>
>>> hope you have received the material you requested. As discussed it
>>> would be great if you could provide feedback today so that I can
>>> coordinate with Germany before our internal deadline. I will be
>>> flying back to Europe this evening. Please feel free to give me a
>>> call if you have any questions. Thanks, Joerg
>>>
>>> Herzlichen Gruß,
>>> Jörg Breuer
>>>
>>> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>>>
>
> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>
> <03092017 Response to Jorg Breuer Certification Proposal.docx>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Hebert, Annette@ARB[annette.hebert@arb.ca.gov];
joerg.breuer@daimler.com[joerg.breuer@daimler.com]
Cc: Fuentes, Mark@ARB[mfuentes@arb.ca.gov]; Ayala,
Alberto@ARB[Alberto.Ayala@arb.ca.gov];
latane.montague@hoganlovells.com[latane.montague@hoganlovells.com];
volker.mornhinweg@daimler.com[volker.mornhinweg@daimler.com]
From: Bunker, Byron
Sent: Fri 3/10/2017 5:26:36 PM
Subject: RE: Sprinter

I just checked with Annette. Let's use a call-in number and start in 4 minutes (9:30 AM PST).

Call-in Number.

From a US Phone

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

From an International Phone
Same code

Ex. 6 - Personal Privacy

Thanks,

Byron

Byron Bunker
Director Compliance Division
Office of Transportation and Air Quality
Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, MI 48105
Bunker.Byron@epa.gov
Phone: (734) 214-4155
Mobile: (734) 353-9623

-----Original Message-----

From: Hebert, Annette@ARB [mailto:annette.hebert@arb.ca.gov]
Sent: Friday, March 10, 2017 12:23 PM
To: joerg.breuer@daimler.com
Cc: Fuentes, Mark@ARB <mfuentes@arb.ca.gov>; Bunker, Byron <bunker.byron@epa.gov>; Ayala,
Alberto@ARB <Alberto.Ayala@arb.ca.gov>; latane.montague@hoganlovells.com;
volker.mornhinweg@daimler.com
Subject: Re: Sprinter

Trying to call you now having trouble locating your number at the moment

Sent from my ARB iPhone

> On Mar 10, 2017, at 3:26 AM, "joerg.breuer@daimler.com" <joerg.breuer@daimler.com> wrote:
>
> Dear Mark,
>
> thanks. We will discuss your recommendations internally and get back to you shortly.
>
> What does concern me is that you require answers to ALL the questions you have asked last Friday
(including those referring to earlier MYs) and to possible follow-up questions that your team might ask in

the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

>

> I will try to call you later today.

>

> Regards, Joerg

>

>> Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

>>

>> Dear Jorg,

>>

>> Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

>>

>> Cell 626-634-9030

>> Ofc 626-575-6815

>>

>> -----Original Message-----

>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]

>> Sent: Thursday, March 09, 2017 5:26 PM

>> To: bunker.byron@epa.gov

>> Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

>> Subject: Re: Sprinter

>>

>> Thank you so much, Byron. Looking forward to the recommendation!

>>

>> Regards, Joerg

>>

>>> Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

>>>

>>> Hi Joerg,

>>>

>>> I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

>>>

>>> As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

>>>

>>> Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

>>>

>>> Best regards,

>>>

>>> Byron

>>>

>>> Sent from my iPhone

>>>

>>>> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:

>>>>

>>>> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

>>>>

>>>> Annette Hebert, Chief

>>>> Emissions Compliance, Automotive Regulations and Science (ECARS)

>>>> Division California Air Resources Board
>>>> (626)450-6150
>>>> ahebert@arb.ca.gov
>>>>
>>>> -----Original Message-----
>>>> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
>>>> Sent: Thursday, March 09, 2017 9:58 AM
>>>> To: bunker.byron@epa.gov; Hebert, Annette@ARB
>>>> Subject: Sprinter
>>>>
>>>> Hello Annette and Byron,
>>>>
>>>> hope you have received the material you requested. As discussed it
>>>> would be great if you could provide feedback today so that I can
>>>> coordinate with Germany before our internal deadline. I will be
>>>> flying back to Europe this evening. Please feel free to give me a
>>>> call if you have any questions. Thanks, Joerg
>>>>
>>>> Herzlichen Gruß,
>>>> Jörg Breuer
>>>>
>>>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>>>
>>
>> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>>
>> <03092017 Response to Jorg Breuer Certification Proposal.docx>
>
> If you are not the addressee, please inform us immediately that you have received this e-mail by
mistake, and delete it. We thank you for your support.
>

To: joerg.breuer@daimler.com[joerg.breuer@daimler.com]
From: Bunker, Byron
Sent: Fri 3/10/2017 12:58:34 PM
Subject: RE: Sprinter

Hi Joerg,

I will speak with Annette and Mark today. I know Annette very well and you can trust her to deliver on a commitment she makes. Perhaps you can assure her that Mercedes will answer as many questions as possible in the order preferred by CARB if she will commit to the timeframe even if all of the questions aren't answered? While I agree it is important that Mercedes answer the questions asked by the Agencies if the questions aren't directly relevant to the 2017 certification, I don't see a reason to hold up certification.

Please don't make a decision today until we have had additional discussions with CARB.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
Sent: Friday, March 10, 2017 7:51 AM
To: Bunker, Byron <bunker.byron@epa.gov>
Subject: Fwd: Sprinter

Hello Byron,

knowing the OBD experts I am afraid the questions-part could turn into a never ending story. This uncertainty in itself might be a reason for our top management to make a decision. Do you see any chance that we could get an agreement on a defined set of answers? Otherwise I might have a hard time convincing my bosses that we can still hope to meet our target dates.

Herzlichen Gruß,

Jörg Breuer

Anfang der weitergeleiteten E-Mail:

Von: <joerg.breuer@daimler.com>
Datum: 10. März 2017 um 12:25:01 MEZ
An: "Fuentes, Mark@ARB" <mfuentes@arb.ca.gov>
Kopie: "bunker.byron@epa.gov" <bunker.byron@epa.gov>, "Hebert, Annette@ARB" <annette.hebert@arb.ca.gov>, "Herr Alberto Ayala Ph.D., M.S.E" <aayala@arb.ca.gov>, "R. Latane Montague" <latane.montague@hoganlovells.com>, Volker Mornhinweg <volker.mornhinweg@daimler.com>
Betreff: Re: Sprinter

Dear Mark,

thanks. We will discuss your recommendations internally and get back to you shortly.

What does concern me is that you require answers to ALL the questions you have asked last Friday (including those referring to earlier MYs) and to possible follow-up questions that your team might ask in the next days and weeks before an EO can be issued. I am afraid this leaves us with uncertainty as to whether we will be able to conclude the certification process on schedule.

I will try to call you later today.

Regards, Joerg

Am 09.03.2017 um 19:29 schrieb Fuentes, Mark@ARB <mfuentes@arb.ca.gov>:

Dear Jorg,

Please find attached ARB's additional requirements to your proposal for a 2017 MY Sprinter Conditional Executive Order. Please don't hesitate to call me with any questions you may have.

Cell 626-634-9030

Ofc 626-575-6815

-----Original Message-----

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Thursday, March 09, 2017 5:26 PM

To: bunker.byron@epa.gov

Cc: Hebert, Annette@ARB; Fuentes, Mark@ARB

Subject: Re: Sprinter

Thank you so much, Byron. Looking forward to the recommendation!

Regards, Joerg

Am 09.03.2017 um 16:21 schrieb Bunker, Byron <bunker.byron@epa.gov>:

Hi Joerg,

I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

Best regards,

Byron

Sent from my iPhone

On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB
<annette.hebert@arb.ca.gov> wrote:

I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.

Annette Hebert, Chief

Emissions Compliance, Automotive Regulations and Science (ECARS)

Division California Air Resources Board

(626)450-6150

ahebert@arb.ca.gov

-----Original Message-----

From: joerg.breuer@daimler.com [<mailto:joerg.breuer@daimler.com>]

Sent: Thursday, March 09, 2017 9:58 AM

To: bunker.byron@epa.gov; Hebert, Annette@ARB

Subject: Sprinter

Hello Annette and Byron,

hope you have received the material you requested. As discussed it would be great if you could provide feedback today so that I can coordinate with Germany before our internal deadline. I will be flying back to Europe this evening. Please feel free to give me a call if you have any questions. Thanks, Joerg

Herzlichen Gruß,

Jörg Breuer

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

<03092017 Response to Jorg Breuer Certification Proposal.docx>

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.

To: Hebert, Annette@ARB[annette.hebert@arb.ca.gov]
Cc: joerg.breuer@daimler.com[joerg.breuer@daimler.com]; Fuentes, Mark@ARB[mfuentes@arb.ca.gov]
From: Bunker, Byron
Sent: Fri 3/10/2017 12:21:11 AM
Subject: Re: Sprinter

Hi Joerg,

I understand that CARB will be circulating a recommendation for how to move forward in the timeframe you have requested. EPA is prepared to move forward in the same timeframe. Assuming the emissions testing performance and the submittals from the company are as expected, we believe it is reasonable to conclude that certification can be completed on this schedule.

As I know you understand, the decision to certify will be based on the facts in front of us but at this juncture I believe the schedule is achievable.

Please let us know if you have any questions regarding this. I can assure you that we will do everything we can to complete our review work in a timely manner.

Best regards,

Byron

Sent from my iPhone

> On Mar 9, 2017, at 3:03 PM, Hebert, Annette@ARB <annette.hebert@arb.ca.gov> wrote:
>
> I am including Mark since he will be the one to respond on behalf of CARB as I am booked up till late today in other meetings.
>
> Annette Hebert, Chief
> Emissions Compliance, Automotive Regulations and Science (ECARS) Division
> California Air Resources Board
> (626)450-6150
> ahebert@arb.ca.gov
>
>
> -----Original Message-----
> From: joerg.breuer@daimler.com [mailto:joerg.breuer@daimler.com]
> Sent: Thursday, March 09, 2017 9:58 AM
> To: bunker.byron@epa.gov; Hebert, Annette@ARB
> Subject: Sprinter
>
> Hello Annette and Byron,
>
> hope you have received the material you requested. As discussed it would be great if you could provide feedback today so that I can coordinate with Germany before our internal deadline. I will be flying back to Europe this evening. Please feel free to give me a call if you have any questions. Thanks, Joerg
>
> Herzlichen Gruß,
> Jörg Breuer
>
> If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.
>

To: felix.wellmann@daimler.com[felix.wellmann@daimler.com]; Wehrly,
Linc[wehrly.linc@epa.gov]; Cullen, Daniel[cullen.daniel@epa.gov]; Ball, Joel[ball.joel@epa.gov]
Cc: john.lipa@daimler.com[john.lipa@daimler.com];
klaus.land@daimler.com[klaus.land@daimler.com]
From: Bunker, Byron
Sent: Wed 3/8/2017 1:04:53 PM
Subject: RE: Approval MY2015 sprinter

Ex. 4 - CBI

Thanks Felix.

I have forwarded this to CARB as well.

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

Bunker.Byron@epa.gov

Phone: (734) 214-4155

Mobile: (734) 353-9623

From: felix.wellmann@daimler.com [mailto:felix.wellmann@daimler.com]
Sent: Wednesday, March 08, 2017 2:32 AM

To: Wehrly, Linc <wehrly.linc@epa.gov>; Cullen, Daniel <Cullen.Daniel@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Ball, Joel <ball.joel@epa.gov>
Cc: john.lipa@daimler.com; klaus.land@daimler.com
Subject: Approval MY2015 sprinter durability group copper

Hello Gentleman,

please find within the approval Dr. Breuer mentioned in the call yesterday.

Regards,

Felix

Mit freundlichen Grüßen/Kind regards

Felix Wellmann

Manager RD/FZE
Emission and Fuel Economy Certification USA & Canada
Coast Down Measurement and Emission Lab Audit

Phone +49 7031 90-40262
Fax +49 711-3052134185
Mobile +49 160 862 9322

US Phone: +1 734 997 2010

mailto: Felix.Wellmann@daimler.com

Daimler AG

Sitz und Registergericht/Domicile and Court of Registry: Stuttgart
HRB-Nr./Commercial Register No. 19360
Vorsitzender des Aufsichtsrats/Chairman of the Supervisory Board: Manfred Bischoff
Vorstand/Board of Management: Dieter Zetsche (Vorsitzender/Chairman), Wolfgang Bernhard, Renata Jungo Brüngger, Wilfried Porth, Ola Källenius, Hubertus Troska, Bodo Uebber, Thomas Weber

If you are not the addressee, please inform us immediately that you have received this e-mail by mistake, and delete it. We thank you for your support.